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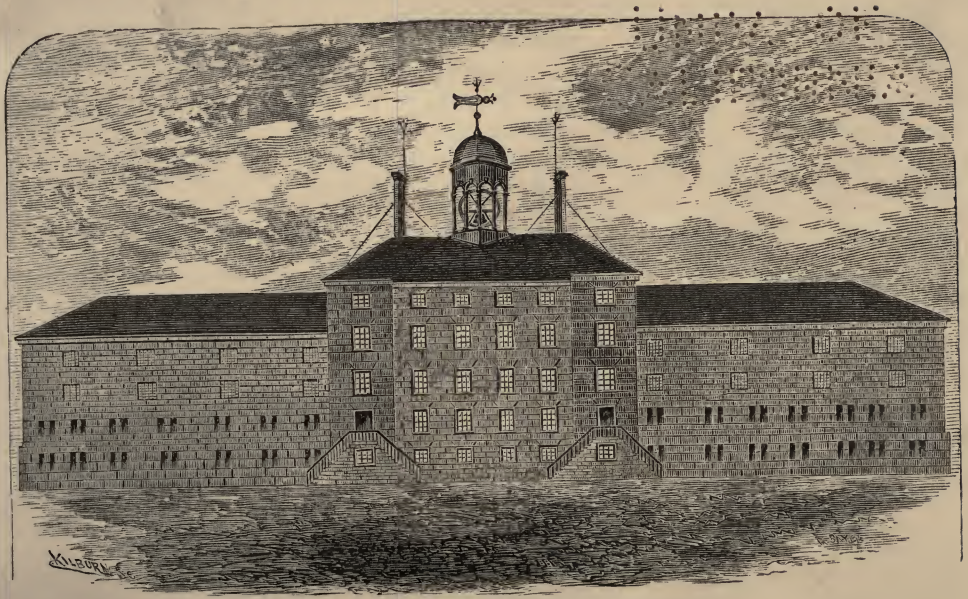

View of Old Prison, built 1805.

MASSACHUSETTS STATE PRISON, 1868.

UNIV. OF CALIFORNIA

PICTURES FROM PRISON LIFE.

AN HISTORICAL SKETCH

OF THE

MASSACHUSETTS STATE PRISON.

WITH

Narratives and Incidents,

AND

SUGGESTIONS ON DISCIPLINE.

BY

GIDEON HAYNES,

WARDEN.

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PREFACE.

THERE are few, if any, of the various institutions of the commonwealth in which so much interest is felt as in the State Prison. For more than sixty years its frowning walls have stood a silent yet impressive monitor, reminding the evil-doer that "the way of the transgressor is hard." Still, but little is generally known of the history of the prison. This fact has led the author of this book to examine the records, — meagre, indeed, and yet important, — and to prepare, according to the best of his ability, a reliable account, as full and satisfactory as the material at his command would permit. His official connection for many years with the management of this institution has furnished him with many thrilling incidents, and has also enabled him to learn the many traditions that have been handed down through successive administrations. It has been his object in this volume to select and present the most interesting of these, as illustrative of different phases of prison life and also to offer

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such views on the great subject of prison discipline as nearly eleven years of active experience have proved to be sound and practical, and for the advantage both of society at large, and those who, by reason of crime, are deprived of their liberty.

There is no book exactly of this character within the author's knowledge, and he feels that the subject appeals in a peculiar manner to the sympathy and laudable curiosity of the public. The imperfections of early records, and oftentimes the carelessness of those whose duty it was to preserve all that pertained to the prison, either in its history or in its routine of daily life, are the unavoidable causes of some deficiencies; but it is believed that sufficient has been saved from the past to warrant the time and labor that have been cheerfully put forth in making this volume what it is. That it may interest and instruct the reader, and have some influence in drawing the attention of the public to the mutual relations of society and those under its ban, and aid in securing the two great ends of prison life, the protection of society and the reformation of the criminal, is the earnest desire of

THE AUTHOR.

CHARLESTOWN, October, 1868.

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HISTORICAL SKETCH.

MASSACHUSETTS STATE PRISON.

CHAPTER I.

HISTORICAL SKETCH.

PREVIOUS to 1785 there was no place in this state for the reception and confinement of convicts, except the common jails, and they were usually so rudely constructed and insecure as to be of but little terror to the rogues of that period. The exploits of Stephen Burroughs, and other notorious thieves who flourished during the latter part of the last and commencement of the present century, are familiar to many: the facility with which they broke from the various jails, the utter impossibility of keeping them in confinement, gave color to the idea quite prevalent among the more ignorant at that time, that they received assistance from the evil one himself, and many stories and incidents to prove the fact were in circulation even within the author's recollection.

1785. On the 14th of March, 1785, an act was passed by the General Court, "providing that the island within the harbor of Boston, commonly called Castle Island, shall be a place for the reception

and secure confinement of all such persons as shall be sentenced to confinement and hard labor for the term of their natural lives, or for any shorter space of time."

As the island was frequently connected with the main land by ice during the winter, and the distance was not so great as to deter expert swimmers from crossing in summer, it was found to be even more insecure than the old jails, and that some more suitable place must be provided for the purpose. Consequently, in 1803, the General Court passed an act to build a State Prison, and about five acres of land, including flats, were purchased in Charlestown, for the site of a penitentiary, "for the reformation, as well as punishment, of offenders."

1803.

It is especially noteworthy that something more than the punishment of the criminal was thus early contemplated by the state authorities; and this record, and subsequent facts, show that in this, as in other reformatory movements, Massachusetts had an advanced position, and proved faithful to the principles which lay at the foundation of her social, civil, and religious institutions.

1804–5. The building familiarly known as the "Old Prison" was erected, in 1804–5, on the western extremity of the peninsula of Charlestown, called Lynde's Point, a pleasant and healthful spot, commanding a rich, variegated, and extensive prospect, and washed on the west and north by the tide waters. The building was two hundred feet long, by forty-four wide; the two wings each four, and the centre five stories high. On the foundation was laid a tier of

hewn stone, nine feet long and twenty inches thick, which formed the first floor. The outer walls were four, and the partition walls two feet thick, and all the joints were strengthened with iron clamps. The doors on the basement story were made of wrought iron, each weighing from five to six hundred pounds. The entry, or hall between the cells (which, unlike those of the present day, were built against the outer walls), was twelve feet wide, arched with brick, and covered with flat stones, having two double iron doors at each end of the two wings.

The second story was like the first, except that the outer wall was but three and a half feet thick, and a grate at one end in place of a door. A portion of this story was appropriated for a hospital.

The third story was divided into rooms, with glazed windows, double grated with iron bars, two inches square. The floor of the entry was composed of hewn stone, fourteen feet long, each weighing between three and four tons. The fourth story was like the third, except that the cells were covered with large stones, the windows single grated, and the entry arched with brick.

In the lower story were twenty-eight cells, in the second thirty, and in the third and fourth sixteen each, making ninety in all. The middle, or keeper's apartment, was five stories high. The lower story was appropriated to the purpose of cooking; the second contained the directors' and keeper's rooms; the third, fourth, and fifth stories were divided into sleeping-rooms. Surmounting the centre of the building was a cupola fifteen feet high, in which was suspended an

alarm bell. Competent judges pronounced this to be one of the strongest and best built prisons in the world, and its cost, including the outworks, amounted to about one hundred and seventy thousand dollars. The work was conducted under the direction of Hon. Edward H. Robbins, Charles Bulfinch, and Jonathan Hunnewell, Esqs., who were appointed agents for that purpose by the General Court.

The prison was ready to receive convicts in December, 1805; and, on the 12th of that month two were committed, the next day sixteen, and at the end of the month the prison had thirty-four inmates.

By an act passed by the General Court, June 15, 1805, the governor was "authorized to appoint an agent or superintendent, chaplain, physician, a board of visitors, consisting of five discreet men, and such other officers, assistants, and servants as shall and may appear fit and necessary for the government, employment and regulation of the convicts of the State Prison." They were to receive the following salaries, namely: the superintendent $1200 per annum, chaplain $250, physician $200, keeper $450, the underkeepers such compensation as should be agreed upon by the board of visitors. Each member of the board of visitors was to receive such compensation for the time he should necessarily be employed about the duties assigned to them, as should from time to time be allowed to the several members of the legislature.

On the 17th of October, 1805, the governor appointed Daniel Jackson, Esq., of Watertown, superintendent, and Christopher Gore, Artemas Ward, and Benjamin Pickman, Jr., Esqs., visitors, Rev. Jede-

diah Morse, D. D., chaplain and visitor, and Josiah Bartlett physician and visitor.

The first meeting of the board of visitors was held November 7, 1805, at the Charlestown Hotel, and at an adjourned meeting on the 11th of that month the following regulations were made: —

"That the clothing of the convicts should be half red and half blue, and their rations should be as follows: —

Sunday. One pound of bread, of the cheapest materials, and one pound of coarse meat, made into broth.

Monday. One pound of bread and one quart of potatoes.

Tuesday. One pint of Indian meal, made into hasty pudding, half a gill of molasses, and a quart of soup made of ox heads and offal.

Wednesday. Same as Monday.

Thursday. One quart of Indian meal, made into hasty pudding.

Friday. Same as Tuesday.

Saturday. Half a pound of bread, four ounces of salt pork, and a quart of pea or bean porridge."

It was also decided that each of the officers of the prison should be furnished with a gun, bayonet, and the necessary accoutrements, and a cartridge-box containing at least twelve cartridges with balls, also with a strong cutlass, to be worn as a side arm, to be used as the regulations of the prison should prescribe.

1806. The first death occurred in the prison January 20, 1806, and the first escape February 24 of the same year.

At a meeting of the board of visitors it was voted "that the superintendent shall provide collars or rings to be worn by such prisoners as shall in any way discover a disposition to escape." The board of visitors was changed this year by the withdrawal of Hon. Christopher Gore and Benjamin Pickman, Esq., and the appointment in their places of Andrew Cragie and Joseph Hurd, Esqs.

It appears that early in the history of prison discipline in this state, the difficult question of the proper use of the pardoning power was brought before the officers; and a very judicious vote passed by the board of visitors in 1807 clearly shows that they felt that the subject was a delicate one, and outside the limits of their appropriate duties. Further on in this volume the author will refer to this subject at some length, but in this connection it is necessary to give only the vote above mentioned. It was in these words: —

1807.

"That no petition for pardons, or letters accompanying them, shall be laid before the board, as they do not feel authorized to give opinions respecting the propriety of pardons."

The Rev. Dr. Morse having resigned as chaplain and visitor, and Mr. Ward as visitor, the governor and council passed a regulation that the board should consist of but three members. This year is also marked by the fact that it was that in which the first contract for the labor of convicts was made. Mr. William Little engaged for the services of twenty men to work at the plating and harness business, at forty dollars a week for the first six months, and fifty dollars a week after that period.

Whether the new prison was an incentive to crime or to its more effective punishment, might be a curious question. At any rate, there was a great increase this year in the number of inmates. The board of visitors reported that sixty-one convicts had been received, twenty discharged by expiration of sentence, five pardoned, and two had died, thus leaving in the prison eighty-nine men and five women, or ninety-four in all. Of this number twenty were in solitary confinement.

1808. The vacancy in the chaplaincy caused by the resignation of Rev. Dr. Morse was filled by the appointment of Rev. Walter Balfour, of Charlestown, to act as chaplain during his own convenience or their pleasure. But in October the board received the following letter from him: —

"GENTLEMEN: As a change of sentiment has taken place with me on the subject of infant baptism, and not knowing but this may form some objections to the continuance of my services at the State Prison, I think it my duty to intimate to you my desire to discontinue them. If desired, I have no objection to supply for a Sabbath or two, until you may conveniently provide yourselves with some other person.

"WALTER BALFOUR."

The board of visitors did not deem the change of sentiment alluded to to be a very serious matter, for in accepting his resignation they say, —

"A change of sentiment on the subject of infant baptism is no objection in their minds to your ministerial character. Christians of different denominations

are invited to officiate here; and the services of Baptist teachers are acceptable and instructive."

Differences of opinion on such a subject would not, in these days, be considered of any importance in a prison chaplaincy; and the board of visitors then thought so; but that Mr. Balfour thus looked at the subject is an illustration of conscientiousness more common then, perhaps, than now.

It was the custom, at this time, for the sheriffs to deliver to the prison the criminals sentenced in the different counties. It was rather a costly arrangement, amounting this year to fifteen hundred dollars. Maine, however, had not then been set off as an independent state.

During this year ninety-one convicts were received, twenty-eight discharged by expiration of sentence, and seven pardoned, leaving one hundred and forty-eight in prison at the close of the year, of whom twenty-five were in solitary confinement.

1809. On the 30th of January, during a violent snow storm, four convicts made their escape by scaling the walls: two of them were recaptured, and, by order of the board of visitors, were firmly chained by the legs and put to work. During this year the Rev. Mr. Balfour, the chaplain, resigned, but whether on account of his particular religious belief does not appear. His place was filled by the appointment of Rev. Oliver Brown.

At a meeting of the board of visitors, held May 11, in consequence of a convict's being shot in the hand by a watchman, while attempting to escape, the question as to the authority of an officer to fire upon a

prisoner under any circumstances came up, and the matter was referred to the governor and council. Not having obtained a satisfactory reply, and another serious and combined attempt at escape having been made by the convicts, which resulted in the death of one of them, the following note was addressed to the governor: —

"STATE PRISON, June 23, 1809.

"MAY IT PLEASE YOUR EXCELLENCY: Having ascertained at the secretary's office that no further provision is made for the security of this institution, and feeling seriously impressed with its present situation, we have thought it our duty to state that for some time past a combination has been forming, by some of the most daring convicts, to take possession of the prison, and in that way to effect an escape; but, not finding that measure practicable, they abandoned it, and agreed to scale the walls of the yard, which was attempted yesterday, at one o'clock, by Isaac Jackson and William Sawyer, to be followed by about twenty others. Jackson was mortally wounded by the watchman on the wall, and died this morning about five o'clock. No other attempted an escape, though the signal which had been agreed upon was given from the workshops. They undoubtedly were deterred by the event they witnessed. The deceased was a black man, convicted of larceny, and sentenced for six years. Previous to his death he developed the intention of the convicts, which was corroborated by the statement of Sawyer and others at a separate examination. . . .

"We have so repeatedly communicated to the supreme executive the necessity of a more particular atten-

tion to the business of this establishment, that we reluctantly trouble you on so disagreeable a subject; but it is not possible, sir, for us to continue a responsibility which we never contemplated, and which is not provided by the regulations under which we were appointed."

No satisfactory answer was received to the above communication, nor was there any additional legislation on the subject. The right of an officer to shoot a convict attempting to escape is as undecided in 1868, so far as legislation is concerned, as it was in 1808. The fact, however, that the government puts loaded rifles in the hands of the guard upon the walls, would seem to imply the right to use them should occasion require; and the instructions the guards receive from the authorities of the prison at the present time are to this effect.

Disturbances and violent attempts at escape increased to such an extent that stringent measures became necessary, and it was ordered "that a room twenty-five feet long, in the west end of the basement story, be grated and prepared sufficiently strong in every respect for the confinement to labor of such of the convicts as cannot be employed with safety in the other workshops, — to be called the *refractory room*, — and the superintendent prepare without delay a suitable number of chains for the legs, and of a proper strength, to be worn by the prisoners confined in this room."

The board of visitors, in their report, state that during the year one hundred and two convicts had

been received, twenty-six discharged on expiration of sentence, four pardoned, two had died, and one had been shot, leaving two hundred and nine in the prison, twenty of whom were in solitary confinement. For some reason the prison was not in a prosperous condition at this time, and the board of visitors state that "an alteration in the affairs of this institution is indispensable to its prosperity; and with the present arrangement it cannot succeed." But no immediate action on this recommendation was taken, so far as the records show.

1810. The necessity of some change seems to have continued, and at last to have compelled attention and action by the proper authorities. On the 8th of March the visitors had a full conference with his excellency the governor upon the subject, and stated that, under existing circumstances, it was impossible for the institution to go on with satisfaction to the board or benefit to the commonwealth, and that a new arrangement was indispensable; whereupon the number of visitors was increased to seven, by the appointing of John Lovell, Isaac P. Davis, George G. Lee, and William Pickman, Esqs. This arrangement did not, however, succeed; and the troubles, which seemed to be between the board of visitors and the superintendent, continued, and finally ended in the withdrawal from the board of Messrs. Bartlett, Hurd, Davis, Lee, and Pickman, and the appointing by the governor of Hon. William Gray, Tristram Barnard, Joseph Russell, Thomas Melville, Esqs., Hon. Matthew Bridge, and Jonathan S. Austin, to fill the vacancies.

The cost of maintaining the prison from its opening up to this time, above receipts, was $50,238.62.

1811. This year a new act was passed by the General Court, "providing for the government and regulation of the State Prison." The officers were to consist of a warden and three directors. Robert Gardner was appointed warden in place of Daniel Jackson, who retired after holding the situation six years. James Prince, Jesse Putnam, and James T. Austin, Esqs., were appointed directors, Rev. William Collier chaplain, and Dr. Josiah Bartlett physician.

At a meeting of the directors it was voted that "the warden be desired to indulge the prisoners on the approaching Thanksgiving in such manner as he shall judge advisable, not exceeding double the expense of their usual fare; and that James T. Austin, Esq., be requested to deliver an address to the prisoners upon that occasion." The arrangement was carried out quite successfully, thus inaugurating a custom which has become identified with this institution, and of which more will be said in another place.

The punishments inflicted at this period were sometimes quite singular. For instance, an order is recorded that "a gallows be erected in the prison yard, at an elevation of twenty feet, on which certain prisoners (seven in number) shall be placed, and sit with a rope round their necks for one hour, once a week, for three successive weeks; that for sixty days they wear an iron collar and chain, as the warden shall direct; and they eat at a table by themselves; and that they wear a yellow cap, with ass's ears, for sixty

days, &c., &c. This sentence to be read in the hall at breakfast, in presence of all the prisoners."

1812. A single change was made with officers this year. Jesse Putnam, Esq., having resigned as director, Caleb Bingham, Esq., was appointed to fill the vacancy. Some radical changes were introduced at this time, with a view of establishing a system of gradation in the convicts.

At a meeting of the directors, it was voted, "that convicts sentenced to the prison a second time shall be distinguished from the others by being dressed in three-colored garments, namely, one stripe of red, one of yellow, and one of blue. They shall be placed at their meals at separate tables from those confined for the first time, and will receive only two warm meals per day, and bread and water for the other meal, except on Sunday.

"Convicts sentenced to the prison a third time shall be distinguished from others by being clothed in a four-colored garment, namely, one stripe of red, one of yellow, one of blue, and one of black. They shall be put to the meanest and hardest labor, and shall have only one warm meal per day; nor shall they be permitted to see their friends more than twice during the year. Convicts who may have effected their escape, when retaken shall wear an iron ring on their left leg, to which a clog, attached by a chain, shall be suspended during their continuance at the prison, unless restored to favor by the board of directors."

At this period the annual visit of the governor and council was considered quite an event, and attended with considerable ceremony, as is shown by an order

issued by the board of directors upon the visit of Governor Gerry and council. There was a real dignity then attaching to those high in office, which is not always manifest in these days, when reverence for authority is so rare. The "order" is in these words: —

"Ordered, that during the visitation no strangers be allowed within the walls; that the keeper receive the visitors at the outer gate, and conduct them to the directors' room, where they shall be received by the warden, and introduced to the board; that the warden, directors, chaplain, and physician, preceded by the keeper, attend on the visitors through the several apartments of the prison, to answer and explain to them such questions and inquiries as they may think proper to make; and that the warden make such disposition of the guards as may comport with the safety and respect due to the visitors."

At twelve o' clock, his excellency the governor, the Hon. Aaron Hill, Marshall Spring, Hon. Nathaniel Morton, accompanied by the secretary of the commonwealth, arrived at the outer gate of the prison, when they were received by the keeper, and by him conducted to, and were received by, the warden, and by him introduced to the board, chaplain, and physician, in the directors' room. The warden, chaplain, and physician made their reports, and then the procession moved, in conformity to the preceding direction of the board, through the various departments of the prison. During the inspection of the solitary cells, his excellency directed two convicts, confined to the cells for breaches of the rules of the prison, to be liberated; and while passing through the dining-hall,

while the convicts were at dinner, he directed the warden "to furnish the convicts each with a pint of cider" — an act of generosity which would be somewhat questionable at the present day.

The board of directors having understood that the frigate Chesapeake was to be repaired in Charlestown, it was voted that, "the warden endeavor to make a contract with the agent of the United States for such work as can be done in the prison."

It will be remembered that the frigate Chesapeake was sent into Boston to be repaired and refitted. When nearly ready for sea, the British frigate Shannon appeared off the harbor, and the commander sent a challenge to Captain Lawrence to come out with his ship and fight him. The vessels were nearly equal so far as men and guns were concerned, but the Shannon had been cruising several weeks. She was one of the finest frigates in the English navy, selected and fitted out with a picked crew for the express purpose of engaging one of our vessels, and, if possible, checking the success which had attended the American ships in every engagement where anything like an equality of men and guns existed.

Captain Lawrence, stung with indignation that the British flag should be flying in plain view from the surrounding heights, hastily collected such of his crew as could be found, and put to sea to fight the Shannon. The battle took place off the outer harbor. It was a beautiful day, and as the affair had become noised abroad, every hill-top, roof, and steeple, wherever a view of the scene could be obtained, was covered with anxious spectators. Amid the prayers and shouts

of the congregated thousands, the Chesapeake passed down the harbor. With a crew thus hastily summoned, some of them still under the influence of recent dissipation, with only time to assign them to the guns, with no opportunity to practise or work them, with strange officers, and the confusion always on board a ship when leaving port, is it to be wondered at, that, laboring under such disadvantages, she was beaten? Unfortunately, Captain Lawrence, in the early part of the action, fell mortally wounded, and, as he was being conveyed below, uttered those heroic words which have immortalized his name, and have since become so intimately connected and associated with the noble deeds of our sailors — "Don't give up the ship."

The following communication, which was received this year from the marshal of the Massachusetts district, naturally passes into the history of the prison: —

"District Marshal's Office, November 5, 1812.

"Gentlemen: Having received repeated intimations from the keeper of the jail, in the county of Suffolk, within this district, that in his estimation it is not perfectly safe for the detention of prisoners confined there, I applied to his excellency the governor for permission, under direction of your board, to remove and safe keep Samuel Tully and John Dalton, two men convicted of a capital crime, under the authority of the United States, to the State Prison, Charlestown; and I have received his assent to my request, under the restrictions expressed in his letter, which I have the honor to transmit to you, with a request that you

would be pleased, as the immediate directors of the institution, to take such order thereon as the safety of that place may suggest, and as may enable me to have my request so complied with as to insure the confinement and detention of these men, and provide for their support without expense to the commonwealth, or imposing unnecessary trouble on the warden or other officers of the prison. You will also oblige me by assenting, and ordering that while these prisoners are there they shall be subject to the rules and regulations of the house and of the board, so as to cause them not to be visited, except by special permission, either from the board or a member thereof, the clergy excepted.

"JAMES PRINCE, *Marshal.*"

The marshal also requested "from the board of directors of the State Prison, that they would assign to me four of their officers to attend the execution of the unfortunate convicts on Thursday, the 10th instant; that they shall receive reasonable consideration from the United States for their services. I shall also wish the use of the directors' room on that day, in order to make those arrangements which the awful duties of that day may make necessary."

These criminals were received, and they remained in the prison till December 10, when they were taken to Nook's Hill, South Boston, where Tully was executed; Dalton was reprieved upon the gallows.

1813. An attempt was made this year to destroy the workshops by fire. One of the convicts, by the name of Burk, having been found guilty

of engaging in the plot, it was ordered, "that he be chained by the leg, in addition to his being confined in the cell, with the heaviest chain which can be procured, and that he also be chained to the ringbolt for twenty-four hours."

The same year several prisoners made an attempt to escape from the prison, and it was ordered, "That George Lynds wear the iron jacket for eight days, and stand in the broad aisle of the chapel with the same, on the morrow and the ensuing Sunday, sleep in solitary ninety days, and wear a clog with an iron chain for eighty-two days afterwards; Charles Gibbs and John Hamilton sleep in solitary sixty days each, and wear a clog with an iron chain for the same period."

In consequence of being required to perform additional duties, most of the watchmen resigned, and new men were substituted. Two of these were found asleep while on duty the first week; and one Hamilton, a convict alluded to in the preceding paragraph, escaped under the following circumstances: He was at work in company with others on the wharf, guarded by four officers, and he was also chained with a clog to his leg for a former attempt to escape; but he contrived to free himself from his fetters, and change his pantaloons for a pair mysteriously obtained, and deceived the vigilance of the guard. The first intimation of his escape came from the citizens of the town. The directors offered a reward of *five dollars* for the securing and delivering at the prison any convict who should escape from the precincts thereof, showing the value they set upon such matters. So paltry a

sum would not induce any one to risk his life or limb in attempting to recapture an escaped convict; and it also led criminals to feel assured of comparative safety, if they once got outside of prison walls.

Two other convicts disappeared during the month, leaving no clew to the manner of their escape. Sundry articles of clothing were found concealed in the yard, introduced clandestinely from outside, and, from information given by one of the convicts, the board of directors were satisfied that an insurrection had been planned to seize the guards, and, by putting them to death, effect a general escape; the ringleaders were secured and confined to their cells.

Robert Gardner, Esq., the warden, resigned his position, having served but two years, and Gamaliel Bradford, Esq., was appointed to fill the vacancy.

1814. The rules relative to a short allowance of provisions to convicts sentenced for the second and third offences were rescinded; and the warden was requested to report to the board of directors, at an adjourned meeting, what agreement could be made with the guards as to a commutation for their allowance of cider. It is not plain whether this last suggestion arose from any abuse of the cider ration, or from a change in public sentiment on the general subject of temperance in drinking.

It would seem, by extracts from the report of the directors, which will be given, that the anticipation originally entertained in regard to the institution, especially in a pecuniary point, had not been realized. Of course it is not proper to demand, or to expect, that the different departments of government

shall be self-supporting, much less a source of profit; but it was reasonably thought that where so many persons, who should be profitable citizens, were maintained at public expense on account of their crimes, their labor might and should be turned in some way to the benefit of the state. The grand object in view is the welfare of the people; and this can only be accomplished at an expense which must be borne by those who receive the benefits resulting from good government. If in any just way any particular branch can be made to meet its own expenses, the public is so far the gainer; but it must be sustained in any event. It may be said that the war department of the national government is a vast expense, but it secures the safety of the nation, and therefore is in reality profitable; the post-office department outruns its receipts by large amounts, and yet it must be supported. And so with prisons and similar institutions; if, by excellent management, they are made a source of income, or at least present no deficits, the public is the gainer; but if the opposite is true, the prison must none the less be maintained, for the public good requires it. The extracts are as follows: —

"The convicts are sentenced to hard labor, and it was a fond thought, a false expectation, in some of the advocates for such an institution, that the proceeds of this labor would pay all the expenses of the establishment. Various causes combine to make it impossible that such expectations should be realized. Were the expenses of subsistence and clothing for the convicts only brought into the account, the proceeds of their labor, perhaps, might nearly balance it. But

the other charges for the support of the institution, and incidental to it, more than double these two items — such as pay and support of the officers, overseers, and guards, care, attendance, and medicine for the sick, transportation of convicts from the various and distant counties in the state, additions, alteration, and repairs of the buildings, loss and damage of stock or manufactures by malicious and revengeful convicts, &c.

"Many of the convicts, also, are unfit for labor of any kind when they come into the prison; enervated by intemperance, and with constitutions worn out by debauchery, their sickly frames are a long time an expense to the institution before they have strength to add anything to its income; and often the term of their sentence is only sufficient, with the expense of hospital attendance, to restore them to liberty and society in better health than they were when committed to the prison. Some are useless for want of natural talent; they have been brought up idle, and it would be too expensive to teach them a trade, even if they were capable of learning one. Of the many who are sentenced for short periods, a few only, who may have been bred to the trades carried on within the prison, can be very useful; and as to those who are not mechanics, before they can acquire such a facility at any new labor as to be profitable, their terms expire, and they are discharged.

"From this view of the subject, therefore, it will be seen that but a small proportion of the numbers confined in this prison can be profitable laborers; and it cannot reasonably be expected that these few should not only support themselves, but their idle and use-

less companions, and also produce a revenue equal to the other great charges of the institution.

"One great difficulty in making the labor of the convicts productive is the want of suitable labor to employ them upon. Various plans have been adopted since the establishment of this prison, and various modes of employment have been tried, to increase the profit of their labor; different trades have been carried on at different times, and the experience of past success or damage would seem to point out the most advantageous employment in future; but here, although we have a useful guide, it is not a perfect or infallible one, for some branches of manufacture, which the circumstances of the times rendered profitable, have fallen into decay as times have changed, and these circumstances have altered. During the late war, the making of the common wood screws employed from forty to fifty of our convicts to a good profit. This business is now wholly dropped. Weaving has also declined; and for the loss in these and such other manufactures, the institution is obliged to resort to new trades, and search for new employment. Shoemaking is the most permanent trade which has been carried on in the prison: as this is an extensive occupation in all communities, more men come into the prison of this than of any other trade. By letting these out to contractors at forty or fifty cents per day, they have usually produced a good revenue.

"The policy of late years has been to let the convicts of any trade or profession to contractors, whenever it can be done at forty cents per day, and for any employment which such contractors may choose to set

them about; and this method has been found invariably to be of more advantage to the state than to purchase stock, and sell the proceeds of their labor. A single exception, perhaps, may be made in the business of hammering stone. This is an experiment that has been in operation about a year and a half, and at present bids fair to be of profitable issue.

"The rough stone is broken from their bed or quarry near the banks of the Merrimac, floated down the Middlesex Canal, and landed with great facility on the prison wharf, and is prepared in the finest manner by the convicts for building purposes. This business was commenced above six years ago under a contract with Messrs. Bemis & Stearns for five years, by which contract the prison was to be entitled to three eighths of the proceeds of sales for the labor of the convicts in hammering. At the expiration of this contract, it was not thought advisable to renew it, but to purchase the rough stone, and prepare it for sale for the sole benefit of the state. This business is now extending, and, as is above observed, bids fair to be profitable.

"The trades now in operation in the prison are shoemaking, about thirty at weaving for Mr. Bemis, of Watertown, sixteen at brush making, five at coopering, four at cabinet making, sixteen at spike and nail making on prison account, and about thirty at stone hammering.

"The females spin, knit socks, mend and assist in making shirts. Oakum picking, which is the last poor resort when there is nothing better to do, employs a large number of old, feeble, and indolent, who can be useful nowhere, and who will always be a burden to whatever society they may be cast upon."

These extracts show some of the practical difficulties in the way of making the prison a source of income to the state; but much has been learned by experience, and the system now adopted seems adapted to the management of the institution with as little waste and as much profit as can reasonably be expected. The desire or ambition for pecuniary gain, or even the meeting of actual expenses, should never be such as to interfere with the ends of true justice, or the best welfare of the convicts.

1815. Official honesty was not universal, even in those days of comparative purity in public life; for we find by the records of this year that two officers, while on duty in the night time, entered the kitchen, and appropriated to their own use a quantity of molasses, served out for the use of the prison, and for which offence they were ordered to be publicly reprimanded by the warden in presence of all the officers.

Reference has been made on a previous page to the observance of Thanksgiving Day in the prison — a custom wisely observed at the present time. A similar indulgence was granted this year; and it is on record that at a meeting of the board of directors, it was voted "that the warden be requested to permit as many of the officers of the prison to participate in the celebration of the restoration of peace to the United States, and the whole Christian world, on the 22d of February, as the state of the prison will admit."

The collar, clog, and chain seem to have been favorite modes of severe punishment, for instances of their use are of frequent occurrence in the records. This

year it appears that, one of the convicts having committed a serious assault upon two of his fellow-prisoners, it was ordered "that he wear an iron collar round his neck for ninety days, and a clog on his left leg for six months, and that during the whole time he be chained to his work-bench, that he sleep in solitary confinement for six months, and that during this period he receive only bread and water for his supper; that he be brought into the inner yard on the four succeeding Saturdays, between the hours of three and five in the afternoon, and be placed for one hour on an elevated platform, and a label on his breast with these words: 'For stabbing two fellow-convicts;' that no letters pass to or from him, or that any relation or friend visit him during his confinement, or any convict speak to him; and in case, during the performance of any part of this sentence, he be guilty of any misconduct, such parts of the sentence as has been inflicted be considered as null, and he shall be held to suffer the same over again."

In consequence of the above assault, the board of directors deemed it necessary to embody in a report their views upon prison discipline. It was the first general declaration upon the subject here in Massachusetts, and some of the ideas advanced have stood the test of time. The substance of this report will be given in an advance chapter.

1816. James Prince, James T. Austin, and Caleb Bingham, Esq., having resigned as directors, Hon. Josiah Bartlett, Joseph Hurd, and George G. Lee, Esqs., succeeded them. Mr. Lee served but a part of the year, when Benjamin Weld, Esq., was appointed.

In consequence of a serious insurrection, in which one convict was killed and several others were severely wounded, and repeated attempts to escape, it became necessary to organize a military guard for the prison. This consisted of one sergeant, two corporals, and twelve privates, to be enlisted for two years. Notwithstanding this precaution, within two weeks after the organization of this guard, a convict, who had been confined twenty days in a solitary cell for misdemeanors, was missing one morning; the room was secured as usual, and nothing in it was disturbed. The manner of his escape was a great mystery to the authorities at the time, and no light was ever thrown upon it.

1817 Hon. Josiah Bartlett and Joseph Hurd, Esq., retired from the board of directors, and Tristram Barnard and Elias Phinney, Esqs., were appointed in their places.

1818 Tristram Barnard resigned, and was succeeded on the board of directors by Nehemiah Freeman, Esq. The military guard was abolished.

The discipline at this time seems to have been very lax. Escapes were numerous, insubordination and revolts quite frequent, and, in consequence, the legislature passed an act "for the better regulation of the State Prison." A portion of this act reads as follows: —

"Section 2. That if any convict committed to said prison shall resist the authority of any officer, or refuse to obey his lawful commands, it shall be the duty of such officer immediately to enforce obedience, and, for that purpose, to use such weapons and such aid as

may be effectual; and if such convict, so resisting, shall be wounded, maimed, or slain by such officer, or his assistants, they shall be held guiltless.

"Section 4. No convict, committed to said prison, shall be entitled to his discharge therefrom until he shall have completed the full term of time for which he was sentenced, *exclusive of the time he may have been in solitary confinement for any violation or misconduct of the regulations of the prison.*

"Section 5. Whenever any person, who shall be convicted of any crime the punishment of which is confinement to hard labor for any term of years, shall have been before sentenced to a like punishment, he shall be sentenced to solitary imprisonment not exceeding thirty days, and confined to hard labor not exceeding seven years, in addition to the punishment for the offence for which he shall be tried; and in case such convict shall have been before twice convicted and sentenced, he shall be punished by confinement to hard labor for life."

"Section 7. The directors shall divide and arrange the convicts into three general classes, as they shall be distinguished by their behavior and merit in regard to cleanliness, sobriety, submission, respectful deportment towards the officers, and industry and faithfulness in their work. The first class shall consist of those who are the most orderly and meritorious, and shall be dressed in cloth of the quality now used, but of one color only; and they shall be placed in the most comfortable lodging-rooms at night, and allowed the use of lights at such time during the evening as the directors may think proper.

"In the dress of the second class, the trousers only shall be of different colors; and they shall be allowed lights not more than one evening in a week.

"The dress of the third class shall be that now in use; and they shall not be allowed any lights at night. And it shall be the duty of the warden to keep the said classes separate at night, and as far as possible during the day; and they shall not speak to any person of a different class without permission of the warden. All convicts, on entering the prison, shall be placed in the third class, from which they may be advanced to the others at the discretion of the directors upon the recommendation of the warden; and, for misconduct, shall be liable in like manner to be degraded. And the directors shall not consider an application to recommend for pardon any convict who shall not belong to the first class.

"Section 8. That when any convict shall be discharged who shall have uniformly conducted well during his confinement, the directors may give him a recommendation, or assist him in procuring employment, at his request, if they shall see fit. And every convict, previous to his being discharged at the expiration of his sentence, on a second commitment, shall have the letters MASS. S. P., *and also the year, in figures, when his discharge shall take place, marked on the inner surface of the upper part of his left arm, by puncturing the skin, and rubbing some coloring matter on the same.*"

It will be observed that the germ of what constitutes the famous Irish system was here adopted in the classification of the convicts. Had the law stopped here,

leaving out the inhuman and barbarous idea of stamping indelibly upon a convict a mark of disgrace that neither time nor repentance could efface or eradicate, and nurtured the former, we should probably have reached a state of discipline far in advance of what we have to-day. Unfortunately, the classification, which, I should judge, was never judiciously applied, was finally dropped, and a system of severity and degradation adopted having a tendency to make the good bad, and the bad worse.

In the classification of the convicts, it was arranged that those only should be admitted into the first or highest class who had never been convicts in this or any other state prison or penitentiary before, and who had never incurred punishment here, and who had been confined in the prison at least six months.

Sixty-five were selected for this honor, and it was ordered that "the warden cause them to be dressed in the clothes prepared for them; and the board of directors will meet on Sunday at eleven o'clock, when the prisoners are assembled in the chapel, and they be addressed by the chairman."

One hundred and twenty-six convicts were selected for the second class, and were dressed according to law.

The years 1818, '19, '20 passed without anything of especial interest, except a few changes in officers. Thus, in 1819, John Soley, Esq., was appointed director in place of Benjamin Weld, Esq., resigned, and, in 1820, James T. Austin, Esq., was appointed to fill the vacancy in the board of directors caused by the death of Nehemiah Freeman, Esq.

1821. Four convicts having escaped from the prison, an examination was made of the cells in which they were confined; and there were found two crowbars, each from three to four feet long, a large grappling-iron, a sledge or stone hammer, and sundry smaller instruments, by means of which a large stone had been loosened from its bed in the prison wall, and drawn into the cell, through which opening they made their escape. As it was the practice then, as now, to search all the prisoners previous to their being locked up, it was quite a mystery to the authorities how such tools could be conveyed to their cells without detection.

The writer has often been surprised at finding articles of a similar kind in the cells of even those who were kept in solitary confinement; the ingenuity and skill developed on such occasions are truly astonishing. At the time of writing this (1868), a convict has just escaped from the prison under the following circumstances: He occupied a cell on the upper tier, the top of which was covered with stones weighing from six to twenty hundred pounds each; immediately over the door was one of the smaller size; one of the stones in the wall, and within about eight inches of the top, projected a little, forming a slight ledge. He in some way conveyed to his cell, and concealed in it, the screw and socket of an old vice, which had been thrown among the scrap-iron. Placing the screw upon the ledge on the wall, and pressing against the stone above, he succeeded in raising one end of it sufficiently to admit of his crawling through into the attic above, breaking a joist with which it was braced

from above, knocking a hole through the roof, and, with a rope he had concealed, letting himself down upon the wall, and thence to the ground. It was a slow process, requiring time and patience, and his operations must be concealed from the inspecting officer. He was assisted in this by a shelf about a foot wide, placed directly underneath the stone, for books, &c. But to make it more secure, he smuggled into his cell small pieces of thin board, gluing them together in the precise shape of the stone he was raising, covering one side with mortar to represent a rough surface, whitewashing and fitting it into the opening, thus completely concealing his work, should his cell be entered during the day. Success crowned his efforts on a Sunday night between the hours of twelve and one — an achievement which proved conclusively that he possessed not only patience and perseverance, but an indomitable will, which, had it been rightly directed, would have insured honor and a competency in almost any walk or position in life.

On the 5th of November of this year, another bold, but unsuccessful attempt to escape from the prison was made, terminating in the murder of one, and serious injury of another convict. The occupants of one of the cells, ten in number, succeeded in breaking the fastening of their door, and gaining admission to the passage-way ; they were discovered, secured, and placed in the lower arch ; one of the number, a negro, called Billy Williams, in consequence of previous good conduct, and having but a few days to remain in prison, it was supposed was an involuntary agent in the affair, and was released the next morning, and

sent to the yard to work. On the morning of the 8th, at the moment the prisoners were turned out, he was assaulted and beaten, his arm and leg broken, and his skull fractured, from which wounds he died on the 15th. Another convict, named White, was also assaulted at the same time, but his life was saved by the interference of an officer, at the imminent hazard of his own. The cause of the assault was a belief among the convicts that Williams and White had betrayed the plan of escape.

Here arose a serious question. The homicide of Williams was not witnessed by an officer, and could only be proved by convicts, who were not allowed to testify unless they were restored to citizenship by a full pardon: the pardon must necessarily be issued before the trial, and could not be revoked should the party then refuse, or testify differently from what was expected. Again, many pretended to know all of the particulars, and vied with each other in presenting the most plausible story.

The board of directors voted that all the convicts of the first class be degraded on the 3d of December, unless before that time a full and satisfactory disclosure of all the circumstances attending the affair was made, and the usual Thanksgiving indulgence be withheld, unless before that day the combination existing among the prisoners to conceal the perpetrators and instigators was communicated to the warden.

This vote was not carried into execution in consequence of the information given, and the exertion made by the convicts to bring the real criminals to justice. Samuel Green and Howard Trask were tried

for the murder. Trask was acquitted, and Green convicted, and hung on Boston Neck.

1822. An effort was made this year to introduce the *Tread Mill*, under the name of the *stepping* or *discipline mill*. The warden was directed to obtain information from New York in regard to it. The power obtained was applied to grinding corn, but it having been ascertained that the men, upon an average, could not grind over one bushel per day, the project was deemed too expensive, and was dropped.

1823. Frequent allusions are made, in the records of this year, to a school in the prison. The only fact I can obtain in regard to it is, that it was attended by about sixty of the convicts. Permission was also granted to about thirty of them to meet together in the chapel for prayer-meetings. How long they were continued, and why given up, cannot now be ascertained.

1824. Notwithstanding the unusual precautions taken by the appointment of extra officers, and in strengthening the prison, escapes therefrom were frequent, and insubordination and revolts not uncommon.

That such a state of affairs should exist is not surprising, when we consider that the convicts were confined in cells, numbering from six to sixteen in each, giving them every opportunity to scheme and plan mischief, and force sufficient to encourage, if not insure success: reformation under such circumstances was not only impossible, but demoralization and corruption almost certain.

There seems to have been some difference of opin-

ion between the warden and directors at this period. In a letter to the governor, the latter say, that "the want of cordiality and agreement between the directors and warden of this institution has made it impossible to conduct its affairs with advantage to the public."

This disagreement may be attributed, to some extent, to the indisposition of the warden, under which he had been laboring for several months, and which terminated fatally a few months later. Mr. Bradford died on the 7th of March, having held the office twelve years, the longest term of any warden. William H. Lane, the clerk, was appointed to act as warden until the vacancy should be filled by the governor.

On the 7th of July of this year, Thomas Harris, Esq., was appointed warden by the governor to fill the vacancy caused by the death of Gamaliel Bradford, Esq., who had held the position for four years.

As an illustration of the ingenuity sometimes displayed by convicts in effecting their escape from the prison, one of them, this year, concealed himself in the seat of a sofa, and was carried through the gate with the furniture.

1825. Hon. William C. Jarvis was appointed a director, in the place of Colonel James T. Austin, resigned. Another dishonest officer appears this year on the record. He was detected in an arrangement by which he furnished a convict with one dollar bank bills, which he ingeniously altered into tens and one hundreds, which were disposed of by the officer — a bold and ingenious trick, which would do credit to modern rogues.

Lehigh coal was used, for the first time, this year; probably being found more convenient, as well as less expensive.

1827. At a meeting of the directors it was voted, "that the chaplain be requested to procure fifty copies of the confession of Colson, lately executed, and distribute the same among the convicts."

1828. In consequence of the misunderstanding between the warden and directors, — probably growing out of a difference of opinion as to the respective duties of each, — an appeal was made to the governor; and finally the whole subject was referred to the legislature, and resulted in the passage of an act abolishing the board of directors, and establishing a board of inspectors, to consist of three members, to be appointed by the governor, for three years, and so arranged that one should go out each year, and be ineligible to reappointment for one year.

The act defined more particularly the duties of different officers, and also created the office of deputy warden. Under this law, Hon. F. C. Gray, Hon. Sherman Leland, and Hon. Seth Knowles were appointed inspectors; Mr. Harris was retained as warden, but remained only a few months, when he was succeeded by William Austin, Esq., and Charles Lincoln, Jr., was appointed deputy warden.

In their first report to the governor, the inspectors say that, "in their opinion, the whole system of government within the prison — that is, not the laws themselves, but the mode of administering them — ought to be changed as speedily as possible."

1829. The new prison, called the North Wing,

was finished and occupied on the 3d of October of this year, and the present system adopted.

The building was two hundred feet long by forty-six wide, and constructed of granite. The space between the exterior wall and the block of cells was nine feet, and was open to the top of the ceiling. There were four stories of cells on each side of the block, each story containing thirty-eight cells, making, in all, three hundred and four. Each cell was seven feet long, seven feet high, and three feet and a half wide. The doors were of wrought iron, with gratings in the upper part, and were fastened by a compound lever lock, and a bar, which moved horizontally, and secured the door at the top.

The passage to the cells was by flights of steps at the south end, along a gallery, which was composed of granite stones, four feet wide, set into the wall twelve inches, and supported by one hundred and sixty-eight cast-iron pillars, with iron railings on the three upper stories. In the exterior wall was a small window, opposite each cell door, in the three upper ranges, on each side, which admitted light sufficient to enable the convicts to read in all the cells. The whole number of windows in the sides and ends of the building was two hundred and forty-five, and there were also twenty skylight windows in the roof. The window openings were all well secured by iron gratings. There were five ventilating and four flue chimneys, all of granite. Through the casings of the skylights and the chimneys were apertures for ventilating the cells and the area of the prison between the block of cells and the exterior wall. Thus an area of nine feet wide, and six feet

without the galleries, presented itself from the ground flooring to the upper cells, admitting of a view of every door and gallery on either side of the prison. An inspection gallery was erected about the centre of the external wall, on each side of the prison, upon which officers were placed when the convicts marched out or into their cells, and who, by the height of their position, could see every convict enter or leave his cell. On the nortl. end of the area, and elevated fourteen feet above the hall floor, was a chamber erected for the accommodation of the officer of the night guard not on duty. The hall, or area, and the cells, were warmed by four coal stoves. Each cell had an aperture opening into the air-flue, for purposes of ventilation and the passage of warm air through the cell. Water was supplied for the use of the prisoners while in their cells, and also for cooking purposes, by means of a forcing-pump and pipe, leading from a well near the centre of the back side of the new prison. Means were established, by signal-bells, of securing communication, at all times, between the solitary prison and hospital, with the guard-room. The hall, or area of the prison, was constantly lighted during the night.

On the north-western front of the new prison, commencing seventy-one feet south of the entrance, and extending seventy-one feet north, to within thirty feet of the end of the building, was the cookery, porch, barber's shop, and chapel, thirty feet wide and one story high, built of granite, with a slated roof, and with iron gratings to the front and end windows, and to the skylights in the roof. The kitchen had a bakery, a cistern which contained four thousand gallons of rain

water, also a reservoir, to contain two thousand gallons of well water, the latter supplied by the forcing-pump.

The cooking was performed by steam, and an iron boiler, with four large wooden tubs attached, was made use of for that purpose. Three large iron boilers, or kettles, were also set in brick-work, to be used whenever the steam boiler might need repairs. The fuel used in the steam boiler was the Schuylkill coal. Four tables stood in the kitchen, for the purpose of arranging the dishes containing the food, and from which they were pushed through openings in the wall to the porch tables, to be taken off by the convicts as they marched through the porch into the prison. This porch was nine feet wide, and afforded the only entrance into the prison. From the porch was also the entrance into the barber's shop, and chapel, and the kitchen. The chapel seated about three hundred and twenty convicts, with sufficient additional room for the officers and twenty or thirty visitors.

Passing out of the prison, on the right, and facing the south-west, was a line of brick workshops, one story high, and extending about three hundred and twenty feet to the north-west, and varying from twenty-five to forty-two feet in width. In one of the shops was a steam engine, used to carry a lathe for turning wood-work, for sawing, and other purposes. Directly in front of the prison, and at the distance of about one hundred feet from the chapel, were two wooden buildings, adjoining each other, and occupied by the stone-cutters. These were each one hundred and forty feet long and forty-five feet wide. At the north-westerly end of the

stone sheds, and about forty-seven feet distant, was a canal or basin, with a lock-gate in the north-west part of the prison yard, into which the salt water flowed at every tide, and through which boats could pass with wood or stone from the bay which washes the whole north-west end of the wall. In this canal or basin the convicts were permitted to bathe occasionally in the warm season. It was located about midway between the sides of the yard wall, and was built of granite, with a culvert passing through the yard vault, and under the wall, emptying the contents into the bay on the north-east side of the wall.

The entrance to the main or prison yard was by two large gates on the south-west front. The easternmost gate was the common entrance from the street, and the western from the prison wharf. There were two gates at each entrance, only one of which was opened at a time, thereby forming a lock, and rendering the prison yard perfectly secure during the ingress or egress of teams. Foot passengers entered the yard through the guard-room. The hospital was located in the fourth story of the east wing of the old prison.

The estimated cost of the old establishment was about $170,000; the cost of the new prison, chapel, and cookery, about $86,000; and that of the other buildings, erected or enlarged, about $8,000.

The new prison is supposed to contain about eleven thousand tons of granite, twenty tons of cast iron, and forty-five tons of wrought iron.

The building of this prison, and the introduction of the new discipline, marked an era in the history of the institution more important, perhaps, than any that has

occurred before or since. The foregoing description of the building and surroundings at that time are here introduced, for the purpose not only of preserving the old landmarks, but of contrasting them with the present.

There was in the kitchen a cistern of the capacity of four thousand gallons of rain water; also a reservoir of the capacity of two thousand gallons. How long the above supply would last does not appear from the records; probably several days. The daily consumption now (1868) is thirty thousand gallons. The old chapel would seat about three hundred and twenty convicts; the present one upwards of six hundred. The workshops were but one story in height; now from two to three. In one was "a steam engine, used to carry a lathe for turning wood, sawing, and other purposes." Now there are three engines, two of thirty and one of sixty horse-power, driving hundreds of lathes, and machines of various kinds. Other improvements, relating more particularly to the sanitary condition of the prison, will be referred to in another portion of this volume.

The original plan was, that the convicts should labor in silence through the day in the workshops, but be separated at meal-time and at night. The details of the system of discipline at this time will be discussed in another place.

Hon. Charles Wells was appointed (1829) inspector in place of Hon. Seth Knowles, whose term had expired.

1832. Mr. Austin resigned the office of warden, having served in that capacity four years, and

Charles Lincoln, Jr., Esq., former deputy warden, was appointed by the governor as his successor.

On the morning of the 6th of August, one hundred and twenty-one convicts were seized with a disease, which the physicians said was not spasmodic, nor the ordinary cholera of the season, but peculiar in its character, and produced by some unknown cause. Thinking that it might possibly be in the food, Professor John W. Webster, of Harvard College, was employed to analyze it; but he reported that he discovered nothing poisonous in any of the articles.

Fortunately none of the cases proved fatal.

1834. Jonas Pierce, alias George Walton, was committed to the prison on a sentence of twenty years, for a felonious assault. Walton was probably one of the most accomplished and desperate characters that was ever known in the state. He was also charged with, and no doubt guilty of, several highway robberies committed in the most public places, and in the most daring and successful manner, the penalty at that time being death. His body was covered with scars, one of which was in consequence of a gun-shot wound received in an attempt to escape from the New Hampshire State Prison. He stated to the officers, when committed, that neither this nor any other prison in the country was strong enough to hold him, and as there were several capital offences hanging over him, he should take an early opportunity to leave.

On the 25th of May, having been detected in an attempt to carry his threat into execution, he was placed in a cell in the second arch of the west wing for safe keeping, from which he escaped, in the

following September, by removing to one side the centre stone between the two openings for windows, thus making a passage of about nine inches, through which he passed. The stone removed weighed at least two thousand pounds, and was strongly clamped with iron. He accomplished a feat thought to be impossible for one man to achieve, even with all desirable tools and implements.

In extending the west wing, in 1867, to make room for additional cells, the writer had some experience in this matter, having occasion to remove twelve or fourteen of these same stones; and in no one case could the most experienced workmen, with all the power they could bring to bear upon them, start a single one, but in every instance were obliged to drill and split them into pieces before they could remove them.

Walton was captured the following March, after a desperate resistance, by Mr. Richard Nichols and Sumner Ayre, two officers of the prison, who accidentally met him on Cambridge Street in Boston. He had several additional scars upon his person, showing that he had not been idle during his absence from the prison. When asked his reasons for returning to Boston, he replied that he had made the other places he had visited too hot to hold him.

He was taken to Dedham twice to be tried for highway robbery, but the jury failed to agree. His constitution was now considerably broken down and shattered; he seemed to resign all hope of again escaping, and soon after died.

On the 28th of February of this year, Marvin Marcy, Jr., was received on a sentence for life, for arson.

On the evening of Monday, August 11, of the previous year, the Ursuline Convent on Mount Benedict, then within the limits of Charlestown, was destroyed by a mob. For some days previous, rumors had been circulated in regard to a young lady, said to be confined in the building against her will. The rumors spread like wildfire, and lost nothing in interest and sensational material as they passed from one to another; the community became greatly excited, and, on the evening above, people in crowds repaired to the vicinity of the building, and, with loud threats, demanded the release of the young woman. The Lady Superior appeared at a window, and endeavored to reason with them; but mobs do not listen to reason. She unfortunately let fall an expression that had a tendency to stimulate rather than allay the excitement, and the cry instantly broke forth from the infuriated multitude, "Burn the building!" "Set it on fire!" Instantly hundreds sprang forward to carry the threat into execution; the doors were broken in, the windows demolished, and a scene of confusion and terror arose difficult to describe.

The building was occupied in part as a school for young ladies and children, most of whom had retired for the night. They were compelled to rise, and were hurriedly driven from the building, and, after a careful examination to see that all were out, it was set on fire in several places and burned to the ground.

From its elevated situation, the flames could be seen for miles in every direction. An alarm of fire was sounded, and the firemen, with their engines, repaired to the scene; but not a drop of water was allowed to be thrown upon the flames.

Several parties were arrested and tried; one only, this boy Marcy, was convicted and sentenced as above. It seemed such a mockery of justice, that, out of the thousands who were present aiding, either directly or indirectly, in the riot, this boy should be the only one punished, that a petition, signed, I believe, by the Bishop, Lady Superior of the convent, and others more or less interested in, or connected with the building, was presented to the governor for his release, and he was pardoned on the 9th of the following October.

Thirty-three years have flown, and the ruins remain in the same condition in which they were left by the flames and the mob.

The summits of two beautiful eminences, within a cannon's shot of each other, overlooking a panorama not to be surpassed, if equalled, in the country, are crowned with monuments, the one rearing its granite head far into the clouds, proclaiming freedom to the world, — the other, an emblem of desolation, speaking, in mute but unmistakable language, of the terrible, but unjustifiable, indignation of a mob against supposed restriction on human freedom.

1839. It seems somewhat strange for us, in these comparatively quiet times, to look back and contemplate the precaution deemed necessary, at this period, to prevent and subdue "insurrections, assaults upon officers, or attempts to escape." The following were the instructions to the officers on such occasions: —

"As such events have occurred under the former discipline of the prison, it may be expedient to provide for the recurrence of them, so far as to adopt meas-

ures for the safety of those convicts who may be disposed to continue orderly, as well as for the direction of the officers, that they may always be prepared for such contingencies.

"In case of riot or commotion, the guard-room bell will be rung for divisions to form.

"The officers will order their men to fall into the ranks: such as obey they will march to the parade-ground, cause to take up buckets and to proceed to the cells and to be locked in. Each convict will bolt his door as he enters. The officer will secure the horizontal bar, and then pass down the gallery and ascertain the number of men he has locked up, and report the same to the deputy or warden the first suitable opportunity. In the mean time the walls will be doubly manned by the watchmen, and the signal for officers to repair to the prison, if they shall be absent, must be made.

"The clerk will remain in the warden's room, in charge of the same.

"Watchman 4 or 9 will assist the officer in the guard-room, and have the arms in readiness. The officer of the guard-room will lock the inside door, leading to the back or prison yard, and keep the other door secured with the bolt, but be ready to admit the officers into the lock between the two doors at any moment.

"The officer in charge of the kitchen will have the fire under the steam boiler extinguished, order the cooks, washers, and others to join their divisions, as they pass through the porch into the prison, lock the porch gates and retire to the guard-room, with the

other officers who may be in the yard, and await orders. Before leaving the porch, the inner door may be locked inside, and the key passed out by the confidential prison waiter.

"When any of the rioters shall wish to submit and avoid being injured, they will signify it by laying aside every kind of weapon, quitting their associates, and walking with their heads uncovered, and in a stooping posture, to the parade-ground, where they will cover and sit upon their buckets, so as to expose themselves as little as possible to injury from the assault that will be made on those who shall persist in riotous conduct.

"Should a convict be seen to raise a deadly weapon upon, or to pursue or throw stones or other missiles at an officer or other person employed within the precincts of this prison, with the obvious design to strike or wound such officer or other person, or should a convict attempt to scale the walls, or in any other way to effect his escape, or to set fire to any building, thing, or place, or be out of his cell in the night time, it will be the duty of any officer of the prison to fire on and wound or kill such convict, if the danger be imminent, first, however, commanding the convict to return or desist, as the case may be, if practicable."

1840. The shower-bath was this year introduced, as a mode of punishment, into the prison; as it has become somewhat notorious in other states, and its use led to serious results here, it may be interesting to some to know the practical working of this infernal machine.

The convict, after being divested of his clothing, was seated in a small closet, his legs, arms, and neck closely confined in wooden stocks, rendering it impossible for him to move or change his position in the slightest degree; the water, which fell six or eight feet, could be let on in small or large quantities at the will of the operator, usually varying from half a barrel to four barrels. This mode of punishment is still practised in some of the prisons in other states, although it has been unquestionably proved to be injurious in many cases, and sometimes fatal. It is, perhaps, the most inhuman form of punishment inflicted in modern days; and there seems to be no reason for its being so frequently resorted to at this period, with the lash, ball and chain, and solitary confinement also in constant use.

Among the convicts frequently subjected to this and other punishments was one Abner Rogers, Jr., serving a sentence of five years for larceny, and six months for being a second comer. On the 14th of June, 1843, Rogers, for making a noise in the solitary cell, where he was confined for punishment, was taken out, showered, and sent to his own room; the next day, for repeating the offence, he was showered again, and sent to his shop to work. About half past five o'clock in the afternoon of the same day, Mr. Lincoln, in company with a gentleman from Boston, was passing through the shop, when Rogers suddenly sprang upon and stabbed him in the neck with a shoe-knife, killing him instantly. Rogers was immediately secured, heavily ironed, and placed in one of the cells of the old prison for safe keeping.

It is unnecessary to say that an act so atrocious and terrible threw all connected with the institution into great anguish, and filled the community with deep sorrow.

On the Sunday following, appropriate services were held in the prison chapel; the late Rev. Louis Dwight, secretary of the Prison Discipline Society, made the prayer, which was followed by a deeply solemn and touching discourse by the chaplain, Rev. Jared Curtis. The coffin containing the body of the warden, having been placed in the prison yard, the convicts moved from the chapel in slow and sad procession by the corpse, taking a last farewell look of him who had filled so important a position in the history of the prison. The scene is represented as deeply impressive, and called from many of the prisoners expressions of grief, mingled with tears of sorrow and sympathy for his bereaved and heart-broken widow and family.

The convict Rogers was taken from his cell and led to the corpse of the warden while it was in the yard. He immediately recognized it, and said, "It is the warden. O, dear! Have I killed him? Can it be?" Though he did not shed a tear, nor exhibit any marks of penitence, yet he appeared to tremble at the sight, and shrank with horror from its deathly gaze when requested to put his hand upon it.

Rogers was the last man showered in the institution. He was tried for the murder. George T. Bigelow, Esq., since chief justice of the Supreme Court of this state, was his counsel. He was acquitted on the ground of insanity, and sent to the Insane Hos-

pital at Worcester, where he, a few months later, committed suicide by throwing himself from an upper window, thus verifying the wisdom of the verdict of the jury.

Mr. Lincoln was a remarkable man in many respects; he had been connected with the prison more than fifteen years, four as deputy and eleven as warden. He possessed peculiar qualifications for the position — a mild and equable temper, united with great energy of character. He was devoted to his calling and to the interests of the state. In a pecuniary point of view the institution never stood higher than under his able administration. It was his great ambition to make the prison a self-supporting institution, and he bent all his energies in that direction. The receipts for labor, above the expenditures, during his term, had they been collected, would have amounted to $42,379.94, the prison at that time being extensively engaged, on its own account, in hammering stone. Unfortunately, by the failure of parties in New Orleans, the prison lost upwards of $31,000 at one time, and by the suspension of the Phœnix Bank several thousand more; and this was followed, a few years later, by still another severe loss, by parties in New Orleans, which induced the authorities, finally, to change the system, and let the men to contractors.

Mr. Lincoln was succeeded by Hon. Frederick Robinson, who instituted a system of discipline in many particulars the very opposite of that pursued by his predecessor.

On Friday, December 1 of this year, a convict by the name of James Gardner was discharged, his sen-

tence having expired. During the night succeeding he was discovered by the watchman in one of the workshops, having scaled the wall and entered the yard for the purpose of obtaining some articles he had secreted previous to his discharge. He was arrested and tried for breaking and entering a building, convicted, and sentenced to the prison for four years.

The above is not an unusual offence: several parties have been re-sentenced to the prison for the same crime. One in particular, who had been working in the brush shop, had, for some time previous to his discharge, been purloining, and secreting under the floor where he worked, quantities of the most valuable bristles; he came in over the wall and carried them off. He was arrested in attempting to dispose of them, and re-sentenced for the crime.

Mr. Robinson, in conformity with his ideas of prison discipline, started a society among the convicts called "The Massachusetts State Prison Society for Moral Improvement and Mutual Aid." The meetings were held in the chapel. The object, as stated in the constitution, was, that "every person, on becoming a member of this society, shall feel it to be his duty, and himself in honor pledged, to use all practicable means and helps for the improvement of his own mind and heart in knowledge and virtue, that by so doing it may be fitting himself for usefulness, respectability, and happiness, when he shall again enjoy the blessing of freedom and society; and, furthermore, studiously to avoid everything which tends to corrupt, to debase, and to destroy; and thus to obtain the mastery over those passions and appetites, to whose influence and control so many owe their downfall and ruin."

The exercises at their meetings consisted of reading original or selected pieces, declamation, and discussion upon various subjects, in which officers and prisoners joined indiscriminately, sometimes ending in scenes of doubtful propriety.

Each member in good standing was presented, on his discharge from the prison, with quite an elaborate diploma, signed by the president, vice president, and secretary of the society, "recommending him to the confidence, patronage, and kind aid of his friends and the community at large."

The latter reminds the author of a story told of the late Hon. I. O. B——, many years United States pension agent in Boston. When a young man, he was clerk of one of the courts in New Hampshire, before which a man had been convicted for horse-stealing. The judge prefaced his sentence with some good advice, telling him to be industrious, obedient, and to obey the rules of the prison, and on his discharge, no doubt, the warden would give him a letter of recommendation. Mr. B., who had been listening very attentively to the judge, turned to one of the lawyers and remarked, in his very peculiar voice, "I say, that must be a desirable document to travel on!"

An incident occurred, during the administration of Mr. Robinson, which illustrates the natural craving and indomitable perseverance with which convicts will pursue a plan once formed for their escape. It is introduced here, not that it reflects upon the discretion or good judgment of that officer, but because it has become a part of the history of the prison.

A convict named William Phillips, alias Porter, was

serving a sentence of nine years for burglary. When on trial he made some disclosures to his counsel, and subsequently to the city marshal of Charlestown, relative to a large amount of property which had for several years been missing, and which, he said, was then secreted in a place known only to himself.

After he was received into the prison he made the same disclosure to the warden. His story was told so artlessly, and seemed so plausible, that he succeeded in inducing the warden, in company with the city marshal, to take him from the prison to the town of Barnstable; and there, in a secluded spot, they commenced digging for the supposed hidden treasure, each one taking his turn at the spade and pick. After laboring for some time, and succeeding in making quite an excavation, Phillips was relieved by one of the others; and, while one was at work in the trench and the other watching for the appearance of the buried treasure, Phillips made a sudden spring, pitching the one outside into the hole with his companion, and took to his heels. Before the surprised and somewhat demoralized gentlemen could regain their feet and wits, the culprit was out of sight; and they, not being in condition to follow up the pursuit, returned to the prison in some respects wiser men than they left it.

Phillips was subsequently recaptured, but, I believe, was never arraigned for the escape.

1850. Mr. Robinson resigned April 1, 1850, having held the office eight years. His administration was characterized by the humane principles with which he sought to invest it. Possessing a large heart, and being a strong believer in the power of love, he

was led to pursue a course and to adopt measures somewhat in advance of public opinion at that period, and of doubtful expediency even at the present time. The expenses of the prison during his administration exceeded the receipts $15,025.19.

Mr. Robinson was succeeded by Henry K. Frothingham, Esq., the accomplished and indefatigable clerk of the prison for the preceding sixteen years, who appointed for deputy warden, in place of Mr. Payne, who had been connected with the prison upwards of twenty years, Mr. Galen C. Walker, an officer of large experience in the Connecticut State Prison, serving, in all, twelve years, the last seven as deputy warden.

July 10 of this year (1850), the work of excavating the earth preparatory to the erection of the south wing was commenced. The building was finished and occupied the June following. It contained one hundred and fifty cells, arranged in five tiers. They were of the following dimensions, viz.: eight feet and eight inches long, four feet seven inches wide, and seven feet high. The area upon each side is eleven and a half feet wide. The cells are lighted by four large Gothic windows on each side, nine feet wide by thirty in height. The cost of the building was about one hundred and fifty thousand dollars; and it is, without doubt, one of the best arranged prisons in the country.

The discipline adopted by Mr. Frothingham was similar to that pursued by Mr. Lincoln. The lash, which had been laid aside under Mr. Robinson, was again introduced, but not to that extent which had made it so odious in previous years.

Rev. Jared Curtis, who for twenty-four years filled the post of chaplain with honor to himself and great benefit to the institution, resigned this year, and Rev H. E. Hempstead was appointed to fill the vacancy.

Mr. Curtis was of the old school, a strong believer in the old system of prison discipline, reluctant to make or suggest any innovations. In discussing the subject as to whether stripes, or the infliction of corporal punishment, can, with propriety, ever be resorted to in the government of a well-regulated prison, he says, "That the affairs of a prison may be conducted without a resort to stripes I have no doubt; but, after careful observation, and much and deliberate consideration in regard to this delicate and much agitated subject, I am clearly of opinion that, in some cases, stripes may be resorted to with a more ready effect and a far happier result, both to the individual punished and to the institution, than can be secured from solitude with its customary privations."

Mr. Curtis died in 1862, at the advanced age of eighty-four years.

Mr. Frothingham held the position of warden about twenty-two months. The receipts of the prison, above expenditures, during that period, was twelve hundred and fifty-five dollars.

1852–8. From January 21, 1852, the expiration of Mr. Frothingham's administration, up to April 1, 1858, when the writer was appointed, the changes were so frequent, and the period occupied by either of the gentlemen who held the office so brief, as to have rendered it quite impossible for either of them to have matured, or carried into effect, any decided

policy, had they been desirous of doing so. During the interval named, five different persons held the office: Stephen Whitmore, Jr., Esq., twenty-three months; Jefferson Bancroft, Esq., fifteen months; David S. Jones, Esq., twelve and a half months (he died in office); Solon H. Tenney, Esq., nine months (murdered by Charles Cater); and Jacob L. Porter, Esq., fourteen and a half months. After relating a single incident, the writer will pass to the administration of Mr. Tenney.

On the morning of the 19th of July, 1853, occurred one of the most singular and mysterious affairs ever witnessed in the prison.

At about five o'clock in the morning, as the convicts were marching from the prison to the workshops, James Wilson made a sudden attack upon a fellow-prisoner, named William Adams, with a knife, reaching over the shoulder of a man who was marching in the ranks between them, stabbing him in the neck, severing the jugular vein, and causing immediate death.

What rendered the case so extraordinary, was the fact that Wilson's time had expired; his sentence of four years, for breaking into and robbing the treasurer's office of this city, terminated that morning, and within an hour he would have been discharged from the prison. The parties had had no difficulty, and no cause could be assigned for the terrible act.

Wilson is an Englishman, and, at the time of writing this, about fifty-two years old. Brought up and educated a thief and house-breaker, he had been an inmate of most of the prisons in his own country, twice

escaped, and was finally transported for life to Botany Bay, whence he escaped and came to this country, in company with another notorious burglar and robber, who was engaged with him in the robbery for which they were both sentenced to this prison.

Wilson was tried for the murder, convicted, and condemned to be hanged, and all the arrangements were made for carrying the sentence into execution: the gallows was erected, the rope in place, and the final services were being performed by the chaplain, when a reprieve for thirty days was received from the governor; and, upon further consideration, his sentence was commuted to close imprisonment for life in the State Prison.

The fact that no cause could be assigned for the assault led to the conclusion that he must have been laboring under temporary insanity. He had never, however, shown any symptoms of the kind; yet, taking that view of the case, and giving him the benefit of the doubt, his life was spared, only to be consigned to a living tomb — close imprisonment for life.

He was recommitted to the prison on the 4th of December, 1855, where he still remains (1868).

Since the writer has been at the head of the institution, he has allowed him to attend the services and lectures in the chapel, and to leave his cell for an hour each afternoon, to exercise in the yard. Time has confirmed the doubts entertained by some in regard to his sanity. During the first few years of his confinement, he applied himself very diligently to reading, selecting works of a philosophical character; symptoms of a disordered intellect occasionally appeared, which have

gradually increased, until he has become, at the time of writing, a complete wreck of his former self, broken down both in body and mind, suffering at periods indescribable tortures from, as he terms it, the shade of Adams, the man he murdered.

1856. Mr. Solon H. Tenney entered upon the discharge of his duties as warden on the 15th of April, 1856, succeeding David S. Jones, Esq., deceased. His experience had been considerable, as an officer under Captain Robbins, at the House of Correction in South Boston, and subsequently as principal turnkey at the Suffolk Jail. He was peculiarly adapted for the position in form, appearance, and qualifications, and his administration bade fair to be one of the most successful in the history of the prison; but it was suddenly terminated, he being one of the victims in two of the most atrocious murders known in the annals of crime.

Confined in the prison, under a sentence of twelve years, for an attempt to kill his wife, was a convict named James Magee. He was an ignorant, passionate, and revengeful man. Only a few months previous, he made a murderous and unprovoked assault upon two other convicts with a stone hammer, fracturing the jaw-bone of one and severely injuring the other. His conduct became so bad that he was thought to be insane, and accordingly he was sent to the Insane Hospital at Taunton. It was soon ascertained that his insanity was feigned, and being detected in an attempt to escape, he was returned to the prison. He had frequently been subjected to punishment in consequence of his bad conduct.

On the morning of the 15th of December he made an assault upon the deputy warden, Galen C. Walker, which terminated fatally. The following account of the sad affair is taken from the prison records of that date: —

"The convicts had been assembled, as usual, in the chapel, for morning worship. The services were closed, and the several divisions had nearly all left the chapel, and were marching to their respective shops. The chaplain, Rev. Mr. Hempstead, was seated upon the platform, and Mr. Walker was standing, as usual, observing the movements of the retiring prisoners, when James Magee, who had gone out with the whip-shop division, — to which he belonged, — after reaching the ground floor of the prison, left his place, and, meeting the descending divisions, reëntered the chapel at the south door. He held in his hands, exposed, two notes. Rapidly approaching the platform, he laid one upon the pulpit in front of the chaplain, and, immediately passing by, placed the other before the deputy warden, who, changing his sword cane from his right hand to his left arm, inclined slightly forward to take it; when, instantly springing to the platform, Magee seized him by the collar with his left hand, and with the other made a desperate and effectural blow, with a sharpened shoe-knife, at the neck of the deputy, striking him under the left ear. For a moment he was borne down; but rising, the determined murderer again struck another like blow in the abdomen of the fated officer. In the mean time the chaplain interposed, and first striking the convict severely upon the head with a heavy pulpit Bible, he then seized him by the hair,

calling at the same time for assistance. Immediately Magee was secured, and committed to one of the cells in the arch in the north wing. Mr. Walker almost instantly expired after the blows were given. The body was deposited in the inspectors' room, and the coroner of the county and the inspectors summoned. Telegraphic messages were despatched to the absent warden and relatives, and especial friends notified of the sad event."

Mr. Walker was for the entire period of his business life engaged in the service of prison supervision, and was well fitted for the difficult position he occupied in this institution. He was resolute, but never rash; just, but still benevolent; he required uncompromising performance of duty; educated and a firm believer in the old *régime*, that punishment should be the ruling principle in a prison, that the lash was the only reliable means of reformation, a strict disciplinarian, one to be obeyed through fear, rather than respect or love.

The tomb had scarcely closed upon the remains of the deputy warden, before the assassin's hand sought another victim; and in this instance the head of the administration, Solon H. Tenney, Esq. We again transcribe from the "daily records:"—

"*Monday*, *December* 29, 1856. Another fearful tragedy occurred at the prison this day. As the warden, Solon H. Tenney, was making his usual afternoon tour of observation and examination among the shops, being in the upholstery department at about three and a half o'clock, after passing the bench where convict Charles D. Decatur was at work, he was attacked from

behind by him, and fatally stabbed through the front of the neck. The warden had strength only sufficient to turn round, withdraw a pistol from his pocket, and prepare to discharge the same, when he fell, and at once died. His body was removed to the hospital. Decatur was secured in one of the cells in the arch of the old prison. The friends of Mr. Tenney were notified of his death, a coroner called, and the inspectors convened, who took immediate measures for the government and quiet of the prison."

Just two weeks intervened between the murders. Mr. Tenney was absent on his wedding tour when Mr. Walker was killed, and his first intimation of the sad event was from a morning paper. He immediately hastened home, only to meet the same fate.

Charles D. Decatur (his real name was Charles Cater) was a young man of good appearance and address, superior in every respect to Magee. He was sentenced here for an "assault with intent to kill" an officer of the House of Correction, South Boston, while an inmate there. He had been a great reader of "yellow-covered literature," was of a romantic and roving disposition, and fond of notoriety. His behavior had been good here, and no cause could be assigned for the terrible act, save a desire to become famous.

The excitement in the city and vicinity at this second murder was intense. Crowds of people assembled around the prison, anxious to learn the latest particulars. A deep feeling of indignation pervaded the community; mutterings of lynch law were whispered abroad; and it is doubtless true that, if a

determined man had stepped forward and openly proposed it, an attempt would have been made to anticipate the law.

Magee and Decatur were both tried before the Supreme Court, and convicted of wilful murder, and sentenced to be executed by hanging. Agreeably to the provision of a law then in force, one year's confinement in a jail or house of correction was required before the final punishment by death could be inflicted.

Decatur died in jail before the year expired, and Magee was executed within the rotunda of Suffolk Jail.

The following is from the report of the inspectors of the prison: —

"In regard to the calamitous occurrences narrated in the preceding paragraphs, the inspectors would emphatically state that they do not deem them connected with any material mismanagement in the government of the prison. They regard them rather as anomalies — events which might happen under any possible system of administration, not unlike what frequently happens in other spheres. No ordinary human care could have averted them, under the present requirements of the laws relating to the institution, and its accommodations for the safe keeping and employment of its inmates."

The legislature, which convened early in January following, during the first week, appointed a "joint special committee to inquire into the affairs of the State Prison;" and, as the writer was chairman of that committee, and their report foreshadowed to some

extent the policy since introduced, it may not be considered out of place to introduce it here. It was as follows: —

"The committee have visited the prison several times, and have carefully investigated all the circumstances attending the death of the late warden and deputy: the institution itself has been thoroughly examined; the treatment of prisoners, their food, clothing, hours of labor, price paid for the same, the mode of punishment practised, and such matters connected with the investigation.

"We found in the prison four hundred and forty-two inmates, employed in ten workshops, varying from seventeen to eighty-one in each. The labor of these prisoners is all contracted for by various firms and individuals, and at a price ranging from forty-five to sixty cents per day, and for a term of five years. The number of officers is limited by law to eleven turnkeys and fifteen watchmen. The full complement have been employed the past year, and, in addition to their regular duty during the day, have to watch one half of thirteen nights each month. One officer only is allowed in each shop. At this season of the year they have to be on duty from a quarter to seven o'clock in the morning, when the prisoners are first let out of their cells, until half past four o'clock P. M., when the prisoners are locked up for the night. They are allowed forty minutes for breakfast and one hour for dinner. The watchmen receive seven hundred and fifty, and the turnkeys eight hundred dollars per annum.

"The committee found the institution in a prosper-

ous condition, and the prisoners apparently in a state of discipline highly creditable to the recent officers; their rations ample, and of good quality; clothing suitable to the season; and working less hours than mechanics and laborers usually do at this season of the year. Although not legitimately connected with this investigation, we cannot forbear expressing the opinion that the state does not receive a fair remuneration for their labor. It is a question of some importance — the expediency of working the men at trades, and at such prices as would interfere with the mechanics of our state. Should this practice be continued, we would suggest the propriety of advertising for contracts — a method not heretofore adopted. It will be borne in mind that the prisoners' average labor through the year is about ten hours per day, the state furnishing shop room, heating, and power — items of no inconsiderable importance to our mechanics; and, therefore, a fair opportunity should be allowed all who might desire to bid for their labor, subject, of course, to the judgment of the officers. The large shops should be divided, or additional officers placed in them. In the whip-shop, for instance, there is but one officer to eighty-one men; and, however capable or anxious he may be to do his duty, you perceive the utter impossibility of his having them all in view at the same time — an object of the greatest importance. It is certainly desirable that the institution should pay its expenses; but that should be a secondary consideration, and ought not to interfere with the safety of the officers or the reformation of the convicts — matters of more importance than dollars and cents; and if

aught has existed in the previous management of questionable expediency, it has been the apparent desire to make the institution realize, in a pecuniary point of view, the too ardent expectations of the public and the state.

"Again, a classification of the prisoners, so far as practicable, should be accomplished; their indiscriminate association we believe to be an error. A prisoner whose crimes or antecedents have been such as to mark him for a dangerous man, should be upon no consideration placed among men sent there for offences of a lighter character; neither should he be employed at any work which would give him the possession of dangerous tools. We would, therefore, recommend that the cells in the old prison be fitted up for the confinement of such prisoners as may be thought dangerous, where they can be employed by themselves, without endangering the lives of the officers or their fellow-prisoners.

"The usual punishments are, solitary confinement, depriving them of their rations and bed, and, in extreme cases, the lash, not to exceed ten stripes, and this not without the consent of at least one of the inspectors. We believe that humanity has characterized the action of the officers in this matter the past year.

"We would recommend the appointment of eight additional officers, four of each, and their duties so arranged that they should not be employed more than one half of the day succeeding a night watch.

"In regard to the murder of the late warden and deputy, your committee have investigated very thoroughly all the circumstances attending these mel-

ancholy events, and have examined not only the officers but the two convicts, Magee and Decatur; and they find that Magee had always been considered a dangerous man. He had been frequently reprimanded, and on the Friday night preceding the murder of the deputy warden, he had been deprived of his bed by that officer for filthiness in his cell; and it was while smarting under this very just punishment that he committed the dreadful act. No other cause can be assigned for the deed.

"Decatur, as proved by the books kept for that purpose, showed that his conduct had been remarkably good, and, at the time of the murder, he was actually in the enjoyment of certain privileges in consequence. The reasons given by him for the deed are too frivolous to repeat; but the true cause can be found in his reckless disposition, the uncertainty of the law, and a desire attending the excitement of the deputy warden's death to show to his fellow-prisoners what he was capable of doing."

"After a careful consideration of all the facts obtained by the committee, they have come to the following conclusion: That the state ought either to introduce the system of solitary labor, which could be accomplished only by a great expenditure, and which your committee would not recommend, or the passage of the bills which accompany this report. So long as the prisoners are employed in workshops, and have in their possession various kinds of dangerous tools, they have it in their power to take the lives of their officers at any time; and the officers have always considered that their safety depended, not upon their numbers, not

upon their arms, but upon the knowledge the prisoner must have of the impossibility of escaping the punishment of any assault which might be made upon them. Take away this protection, and their lives would be in constant peril, and their situations such as few men would accept; and a very different class would have to be substituted for the present able and efficient body.

"Their safety consists in the knowledge the prisoner should have that a trial would promptly follow an assault, and summary execution attend conviction. Adopt this principle, and you render their situation comparatively safe; refuse it, and the end is not yet. And therefore, after a full and careful consideration of the whole subject, your committee would earnestly recommend the passage of the accompanying bills."

The bills alluded to were for the appointment of additional officers, and for the repeal of the law by which criminals sentenced to death should remain one year in some jail or house of correction before execution, both of which passed.

Mr Tenney was succeeded by Jacob S. Porter, Esq., of New Bedford, who remained in office about fourteen and a half months.

Mr. Porter's experience had been somewhat extensive in institutions of reform. He possessed a mild and equitable temper, better suited, perhaps, to manage criminals of a lower grade than those usually found in a state prison. He inaugurated some excellent measures, and retired with the best wishes of all connected with him in his administration, and the love and respect of the inmates of the prison.

HISTORICAL SKETCH

CONTINUED.

CHAPTER II.

HISTORICAL SKETCH, CONTINUED.

THE present incumbent entered upon the
1858. discharge of his duties on the 1st day of April.

The following morning, in the chapel, Mr. Porter took leave of his charge in a few appropriate remarks, and introduced his successor, who also addressed the convicts.*

My first step was to visit those kept permanently in solitary confinement, and those shut up temporarily as a punishment. Of the former I found ten, most of whom had been removed from the workshops at the time the wardens were killed, they being considered dangerous men. Of this number four were shortly discharged on expiration of their sentences, four were returned to the shops to work, leaving but two remaining in solitary confinement, one of whom was Wilson, kept so in accordance with his sentence, and the only one, since the death of Peter York, up to the present time. Neither of the four placed at work ever gave me the slightest trouble.

In the lower arch, or dungeon, I found a man by

* As much of what remains to be written is of a personal character, and can be much better narrated in a direct manner, the author will be excused if he, in subsequent pages, uses the first person.

the name of Lynch. He was one of the ten already referred to. He was placed here as a punishment for breaking and destroying his bedstead and bedding, and had been there about a week. I told him who I was; that I had that day assumed the charge of the institution, and was desirous of starting pleasantly with every one in the prison; and, if he was ready to return to his room and behave himself, he was at liberty to do so. He replied that he was very well where he was; that he should not leave the place; that he intended to remain there till his sentence expired, which would be in about seven months; that, if forced to come out, I should be glad to put him back, for he would destroy everything in his power. Finding that he was not to be reasoned with, or reached by anything that could be said at that time, I left him, expressing a hope that he would, upon consideration, think better of it; that I would call occasionally to see him; and he had only to send for me if he changed his mind.

The cell in which he was confined was about six feet by eight, perfectly dark; night and day were both alike to him; a board and blanket his bed; bread and water, in limited quantities, his diet. Here he had been for a week, and here he was determined to remain for the next seven months.

I saw him occasionally till the 14th of the month, which was the annual Fast Day. On that occasion the convicts were furnished with extra rations. It had not been customary to allow those in punishment anything extra. I gave orders, however, that Lynch should have the same as the others. The next

morning I was called out of town, and did not return till late in the evening. I was then informed that Lynch desired to see me. Going immediately to his cell, and unlocking the door, he stepped forward, and, in a faltering and subdued voice, said, —

"Mr. Warden, I am ready to go out and give you no further trouble."

"Very well," I said; "I am very glad of it. You can come out."

As he passed by me, he turned and said, —

"Mr. Warden, I can stand as much hard usage as any other man; but I can't stand kindness: I ain't used to it."

He returned to his cell, and he made no trouble, so far as I am aware, during the seven months he remained in the prison.

This man ranked with the most determined, desperate, and daring characters ever in the prison. He had escaped from the House of Correction in South Boston and Dedham; and when subsequently recommitted here, it required constant and vigilant watchfulness to keep him, even when in close confinement. He was prolific in resources, and indefatigable in his labors to regain his liberty.

He was arrested, soon after his discharge, for breaking into a hardware store, and stealing, among other articles, several dozen pocket knives. On his trial, a young man engaged with him in the robbery was used as a witness against him; and when leaving the stand he had to pass near the dock in which Lynch sat. Quicker than thought he sprang towards him, and inflicted a serious, though not fatal, wound in his

neck with one of the knives he had concealed about his person. He received a sentence of four years for robbing the store, and seven for the assault upon the young man; a few months later an additional one of three years, for an assault upon Peter York, here in the prison, with an iron spoon, the handle of which he had ground to a point by rubbing it upon the wall of his cell. They were both kept in solitary confinement, and the assault was made when he was taken out to bathe.

He gave constant trouble by his attempts to escape, and his repeated assaults upon those who were brought in contact with him, manufacturing weapons of the most dangerous kind, and from every conceivable article. Finding his efforts were unavailing, and his health failing, he became more quiet, but not the less dangerous.

His death, which took place August 3, 1860, was preceded by the most painful exhibition of moral depravity it has ever been my lot to witness. He had been an inmate of the hospital for two months preceding. When confined to his bed, in the last stages of consumption, he succeeded in obtaining a knife and concealing it in his bed-clothing. He denied all knowledge of it when interrogated, and actually struggled to retain it when found. He was perfectly steeled against religious instruction, obstinately refusing to see, or listen to, any one upon that subject.

For several days previous to his death he was delirious, his thoughts running upon shedding blood, sometimes that of horses, at others that of human beings, apparently revelling among the slain, until he passed from this world into the presence of his Maker.

When I took charge of the institution, I found almost every department in a disorganized and confused condition. In making this statement, there is no intention of reflecting in the slightest degree upon previous officers. Had my predecessor remained in office, it is quite possible that he would have accomplished much more than has been done. The simple announcement that there were five wardens in six years would be a sufficient answer, had it been in a much worse state.

B. L. Mayhew, Esq., had recently been appointed deputy warden, and already marks of improvement and zeal, which afterwards characterized his department, were quite visible.

A part of the old chapel, which was built against the north wing, and occupied as a barber's shop, bath, laundry, drying and invalid room, was in a very dilapidated condition, and most of the apparatus, which had been in use for many years, too far gone for repairs. The occupants were removed to a room underneath the carvers' shop, which had been fitted up in a substantial manner for that purpose. The old chapel was demolished, and the whip-shop extended twenty feet. These, with other improvements actually necessary, required an immediate expenditure of about four thousand dollars.

My first report to Governor Banks contained suggestions which, at the time, were thought by some to be chimerical, but which have since become a part of the discipline of the prison, and to which is due whatever of success has attended my administration: it may not, therefore, be out of place to introduce a few extracts from it.

"I entered upon the discharge of the duties of warden of this institution on the first day of last April, as the successor of an experienced officer, and I could not but feel the weight of the responsibility assumed. I accepted the important position with a determination of making studious and unwearied application to its duties answer for experience, and my knowledge of human nature, and the information I had acquired from a careful study of the different theories of prisons and prison discipline, serve me instead of a more intimate and practical acquaintance with the subject; and in the result I feel that my anticipations have been more than realized.

"Not a stripe has been inflicted during the entire year; the 'cat' has been laid aside, I trust forever; solitary confinement has been substituted, and with the very best result. I am aware that not only many of my predecessors, but others, whose philanthropy and kind-heartedness cannot be questioned, have doubted the expediency or success of this experiment; but nearly two years' experience has satisfied the most sceptical upon this point. The argument heretofore used in favor of the lash has been, that by this mode of punishment the state was not deprived of the labor of the convict, as would be the case were they shut up. That they should be required to work is very true, and that the institution should pay its expenses is certainly desirable, but not the first or most important consideration. Dollars and cents should not weigh against discipline and reformation. Exces sive severity always tends to harden the heart. The stoutest man that ever breathed will succumb beneath

the lash; he may be conquered, but not subdued, and he returns to his work neither a wiser nor a better man, but too often with feelings of hatred and revenge rankling in his bosom. Upon the other hand, there is not, probably, any degree of personal severity which produces so powerful an impression upon the human mind as solitary confinement. Thus condemned to his own thoughts, he has an opportunity of reviewing his past misconduct. In fact, he must reflect, and he knows that the length of his punishment rests with himself; for the course I have universally pursued has been to release a man the moment he expressed a willingness to return to his work, and promised to obey the rules.

"Nothing humiliating is ever required of him; he understands that the past will be forgotten if his future conduct deserves it. A day or two will hardly elapse ere a change is visible, and the proudest spirit will solicit enlargement, with promises of the utmost industry and quietness; and instead of the state suffering from this system, an examination of the records will show fewer days lost from this cause, considering the number of convicts, than many of the preceding years. Instances could be cited where all other methods had failed, and the subjects given up as incorrigible and hopeless; yet, under this treatment, they have become changed, and are now among the most industrious and best behaved men in the prison.

"The too frequent exercise of the pardoning power has a very great influence upon the discipline of the prison. It is now considered a great hardship by the prisoners if they are kept here after the first

half of their sentence has expired; and it is rare that a man is pardoned who does not leave behind him those who have served longer for the same, or perhaps a much lighter offence; so it must be apparent to all that any but pleasant feelings would be engendered in the bosoms of those who remain, by such an act of clemency. They have the impression that no one is pardoned but through the influence of the officers of the institution; consequently the discipline suffers from what they consider favoritism. I would not be understood as intimating a too frequent use of the power in the past, for, so far as my knowledge extends, the recipients have been, in all cases, deserving the favor bestowed. But the welfare of the prison demands that great caution should be used in this matter; and my own impression is, if I may be pardoned the suggestion, that the executive clemency, to be effective, should be confined to such cases as have, by their good conduct, industry, and obedience, given unmistakable evidence of reformation, or where evident injustice was done them upon their trial."

The contract with the American Whip Company, having expired, was renewed for seventy-five men at forty cents per day.

Early in the year, the physician of the prison, Dr. W. B. Morris, was succeeded by Dr. Amos B. Bancroft; and Rev. Henry E. Hempstead, who had faithfully discharged the duties of chaplain for the five preceding years, resigned, to take charge of a church in Lynn, and Rev. Joseph Ricker was appointed in his place. The inspectors for this year were P. J. Stone, Esq., of Charlestown, John A. Goodwin, Esq., of Lowell, and George W. McLellan, of Cambridge.

1859. Two important improvements were made in the prison this year. First, the putting into the north wing fourteen large windows, twenty-three and a half feet by nine, corresponding in every respect with those in the new wing. This improvement will be appreciated when it is understood that the wing, which contains three hundred and four cells, was previously lighted and ventilated by three rows of loopholes, ten by twenty inches, in a wall four and a half feet thick.

The second improvement was extending the wall and enlarging the yard, by enclosing about half an acre of land from the wharf.

Connected with the first improvement was the following incident: It was necessary to employ some of the prisoners outside of the walls, and I selected a man for that purpose who had always behaved well, and who had but a short time to remain. Very much to my surprise, he objected to going outside to work; this was so unusual that I inquired the cause. He hesitated a moment, but finally told me. He had a wife and two children, who were ignorant of his being in prison. In the small, yellow house, he said, directly opposite his window, and near where he would have to work, should he go outside, they were then living. He had watched his children all through the summer, playing in a vacant lot of land belonging to the prison, directly under his window, frequently so near him that he could hear their voices; and he could see his wife passing in and out of the house, or sitting at her window, little dreaming that he had been so near to them for almost two years.

He left them in Boston to go to the western part of the state to obtain work, but failing in that, and without money to return, took a watch whose owner had left it hanging in his office, into which this convict had stepped for a moment to make some inquiries. In the meantime, his wife, not hearing from him, had come to Charlestown to live, and taken this tenement, in plain sight, and within a few rods of his cell.

It is, perhaps, unnecessary to add that his feelings were regarded, and he allowed to serve out his sentence without being discovered.

Two deaths occurred this year, which seem to require especial notice. The first, John Cole, *alias* Bryant, *alias* Cook, aged sixty-seven; he was found dead in bed, lying on his left side, with his head resting on his open hand; he retired to his cell the night before in his usual health. An examination revealed ossification of the valves of the heart.

Cole was serving his eighth sentence: he was first committed in 1814, under the name of Simeon Cook, at the age of twenty-two, and since that time he had passed thirty-four years and two months in this prison, eight years of the time in close confinement; he had been at large less than fifteen years in the last half century. He was a natural thief, would steal when there was little temptation, and take articles of no possible use. He was, without doubt, one of the most troublesome men ever in the prison.

The second was Peter York, a negro, also found dead in bed, lying on his back, with his legs crossed, his arms reposing on his chest, and his eyes closed: his position was perfectly natural and life-like, indi-

cating that he passed from time into eternity without a struggle. He had complained, the day previous, of not feeling well, and the physician had visited and preseribed some simple medicine, a part to be taken at the time, and the remainder at night, should he require it. On being visited late in the afternoon by the officer in charge, he said that he was so much better that he thought it unnecessary to take the remainder, and refused to do so. An examination showed that all the organs of the body were in a healthy state, with the exception of one side of the heart, the muscular structure of which was remarkably thin. What was lacking in his heart, however, was made up in his skull, which was found to be of unusual thickness.

York was convicted of murder, and sentenced to be hanged. His case went to the Supreme Court on exceptions: up to that time, in cases of murder, malice had always been presumed or inferred; the point raised by his counsel was, that it should be proved; the court was not unanimous in their decision, one of the judges sustaining the point. This, with other considerations, induced the governor to commute his sentence to imprisonment for life.

He was received at the prison on the 14th of May, 1845, and had, therefore, at the time of his death, been an inmate fourteen years, the greater part of which was passed in close confinement.

York was quite a small man, compactly built, very quick in his movements, affable, and extremely polite, ordinarily, but very passionate when excited. He seemed to have no regard for human life; if he fan-

cied himself insulted either by word, look, or action, he considered it perfectly proper to take the life of the offender. This rendered him dangerous, and he having in several instances endeavored to carry his theory into practice, assaulting officers as well as men, it was thought unsafe to allow him to mingle with the other convicts.

He could never realize the justice of his being kept in prison, especially in close confinement, for simply killing a man who had insulted him. When once asked what he would do with a man who had committed murder, who refused to obey the rules, and insisted, on all occasions, in doing as he pleased, right or wrong, he said, "Why, if I had the charge of such a man, I would send him to sea, under a good, strict captain." York had been to sea, and could, therefore, judge of the comparative merits of the two places.

Two contracts, which expired this year, were renewed, as follows: The first with Charles H. Breed, Esq., for seventy-five men to work at stone-cutting, at sixty cents per day, and the other with H. S. Doane, Esq., for thirty-five men to work at brush-making, at fifty cents per day.

On the evening of December 5, at about half past four, fortunately at the moment when the last prisoner had been locked up for the night, flames were discovered issuing from the ceiling in the octagon, underneath the chapel. In consequence of its locality, some time elapsed before it could be reached; but, with the assistance of the officers, who were fortunately all present, and the cheerful coöperation of the firemen of Charlestown, the flames were shortly extinguished.

An examination showed that the fire was communicated to the woodwork from the flue which passes from the kitchen up through the chapel, it being at that point but one brick in thickness.

The occasion, at one time, was not only exciting, but even appalling; the crackling of the flames, the noise of the firemen, and the shouts and shrieks of the convicts, all eager to get out, and the fear we entertained, at one time, that we might be compelled to release them, — these, taken together, served to make a scene which almost rivalled Pandemonium itself.

Fortunately, we succeeded in arresting the flames without serious damage to the building.

The inspectors this year were John A. Goodwin, Esq., of Lowell, George W. McLellan, Esq., of Cambridge, and Francis Childs, Esq., of Charlestown.

1860. On the 10th of February an accident occurred, which might have been of a serious nature. A very tall chimney, situated just in the rear of the shops occupied by Mr. Lawrence in the manufacture of furniture, was blown over: providentially, it fell parallel with the building, instead of upon it, injuring but one man, and he not seriously. About forty men were at work in the upper room; and had it fallen in that direction, many must unavoidably have been injured, if not killed outright.

The following incident is given as an illustration of the cunning and ingenuity of convicts: At this time the introduction or use of tobacco was prohibited in the prison; the convicts resorted to every conceivable method to obtain and conceal it. One party, it was noticed, usually had more or less of the article;

but where he kept it was a mystery: his cell was carefully searched on several occasions, but in vain. One day, the officer in charge happened to open the Bible in his room, and the secret was discovered; the greater part of the leaves had been cut out in the centre, leaving quite a cavity. The book, externally, presented the same appearance as any other of the Bibles, a copy of which is in each cell, but the contents were not exactly in accordance with the general teaching of the volume.

Men who are confined in prison very soon lose all craving for ardent spirit, but for tobacco, never; their desire for it seems to increase with their imprisonment, and they will do or sacrifice anything to get it.

I have had men come with tears in their eyes, begging for tobacco, offering to be content with but one meal a day, and do the work of two men, if I would allow them a small piece of the weed; but I had no alternative; its introduction was strictly prohibited by the statutes of the commonwealth.

Although I had never used it in any form, yet I could not shut my eyes to their suffering, or steel my heart against their appeals. I was satisfied that they were driven to practices injurious both to the body and mind, and that, in some cases, insanity had actually ensued in consequence. After a careful consideration of the subject, I thought it my duty, if possible, to get the law prohibiting its introduction repealed. I accordingly applied to the legislature for that purpose, and was successful. I have never had cause to regret it.

There is probably no body of men in our community so readily excited, and whose feelings can be

so easily worked upon, as our convicts; even among themselves they delight in joking each other in their peculiar way. Of course it must be done by signs and movements not to be observed by the officer in charge, but which are perfectly understood by themselves. Sometimes the result is quite ludicrous, at others of a more serious nature.

A convict, serving the last few months of a ten years' sentence for "an assault with intent to kill," was made the victim of some practical jokes, which came near ending in a most fearful tragedy. At work near him was a man who was convicted at the same term of court nine years before, who had served out the sentence he then received, had been discharged, and returned on another charge. The new comer took great delight in teasing his old friend; he gave him to understand that there was another charge of murder against him, upon which he was to be tried on his discharge, with the probability that he would be hanged. There were several of the convicts in the plot, who were in the habit of reminding their victim of his impending fate upon all possible occasions; sometimes by words whispered in his ear as they passed him, or written upon a slip of paper or blocks of wood, and left upon or near his bench; sometimes by the raising of the ends of their cravats under their ear, when they caught his eye. Finally, one of the three, with chalk, drew upon a piece of board a rough gallows, with the figure of a man hanging upon it, and his name written underneath, and, placing it where he could see it, first one, and then the other, as they could attract his attention, would

point to it. This was too much for him to submit to, and suddenly seizing a knife lying upon his bench, he sprang towards and stabbed three of them, wounding each in several places, but, fortunately, neither of them mortally.

He was tried for the assault, and sentenced to ten years' additional imprisonment.

The facts in the case were not known to me till after the trial; the parties he assaulted had less than two years to remain. After their discharge, I immediately laid his case before the governor, and he, taking into consideration the great provocation he had received, granted him a pardon.

John A. Goodwin's, term as inspector having expired, Stephen N. Stockwell, Esq., of Boston, was appointed in his place.

A new feature was introduced into our discipline this year, which has rendered the services on our annual Thanksgiving Day peculiarly interesting and impressive. At the suggestion of the authorities of the prison, Governor Banks granted permission to the warden to name on that day a convict to be pardoned, establishing a custom which has been followed by his successors ever since. As I shall have occasion to allude to this ceremony at a later period, I will only remark here, that the first one pardoned as above was a man sentenced for life, convicted, at the age of eighteen, for arson; he had no recollection of his parents, or any other relative, except an old aunt; he grew up in idleness and ignorance, and, when received, could barely write his name. Not desponding, he commenced a course of study, and, when

pardoned, after being in confinement ten years, during which time he had not been punished, or even reprimanded, he had acquired an education of which a graduate of our high school might well be proud.

At the breaking out of the rebellion, he enlisted, was taken prisoner at Ball's Bluff, exchanged after remaining several months in a rebel prison, rejoined his regiment, and, being severely wounded at the attack upon Fredericksburg, was discharged. Since that time he has lived in this vicinity, and has earned the reputation of being an honest and industrious citizen, respected by all who know him.

A man over seventy years old was discharged from the prison this year, after serving three years, for having in his possession a forged deed; he was convicted under the following circumstances: He laid claim to a piece of land, and presented a deed purporting to be signed some years before by the former owner, now dead. The heirs were surprised that this land should have been sold without their knowledge; they suspected something wrong, and took measures to test the legality of the document. The case was heard in one of our courts, the claimant placed upon the stand, who swore positively that he bought the land, paid for it, and the deed was given him by the former owner, at the time of its date, some years before. This was all the evidence in the case, and, in the absence of anything to contradict it, seemed conclusive. Before the witness left the stand, the counsel for the heirs stepped up to the old man and said, "Upon your oath you say that this deed was signed by, and delivered to you by, this party at the time of its date."

"I do," was the reply of the old man. "Your honor," said the lawyer, addressing the judge, "you have heard what this man has sworn to;" and holding the deed up to the light, the water-mark in the paper could be distinctly seen, with the maker's name, and the year of its manufacture, showing that the paper was not made until some years after the date it bore. The old man was immediately arrested, tried, and sentenced to the State Prison for three years.

Another case of conviction, under circumstances and upon evidence somewhat similar, occurred a few years later. Several stores in a town in a neighboring county had been broken into and robbed, one of them no less than three times within a few weeks. The proprietor concluded one night to remain in his store: about one o'clock he heard some one try the shutters; the burglar then began boring holes in a circle very near together, and with a knife cut out the piece, inserted his arm, undid the fastening, opened the window, and entered the store. He then proceeded, very deliberately, to strike a light; at this moment the shopkeeper spoke; in an instant the robber extinguished the light, and discharged a pistol, slightly wounding the owner of the store in the forehead, sprang through the window, and escaped. The excitement consequent upon the wound prevented his being pursued. He was not recognized, and not the slightest suspicion rested upon any one in the town.

The next morning, on examining the shutter, the point of a knife blade was found in the wood, it having been broken off in cutting out the piece: this was secured. The ground was covered with a light snow,

and the party was tracked for some distance in the direction of a house just out of the village, the owner of which had two sons, aged thirteen and sixteen years. An officer called, the next day, to ascertain if these boys were at home the previous night. He was told that they were; that they retired together between nine and ten o'clock. In order to reach their room, they were obliged to pass through the room of a young man who was boarding in the house: he heard them for some time after they entered their room, and when he retired all was quiet. The younger of the two said that his brother was with him in bed when he fell asleep, and with him when he awoke in the morning. Everything appeared so satisfactory that the officer was leaving the house, when he met the oldest boy coming in; he stopped and spoke to him, and was passing out, when, out of curiosity, he turned again, and asked him if he had a knife in his pocket? "Yes," was his reply, at the same time handing it to the officer, who, upon opening it, found one of the blades broken: taking the piece found in the shutter from his pocket, he found that it fitted the broken blade exactly — it belonged to the knife. The truth was so apparent that denial or prevarication seemed useless; the boy admitted that he was the guilty party He was arrested, and a few weeks later brought to trial, when he pleaded guilty to numerous charges of "breaking and entering," and was sentenced to the State Prison for fourteen years.

This young man was blessed with kind, indulgent and quite wealthy parents, who had given him a superior education, and the surprise among his friends

at his arrest was great. The wonder was, how a young man so respectably connected, and possessing such ability (for he was an extraordinary scholar), could fall into such a course, blasting his own prospects, and plunging his parents into a state of misery beyond conception. The mystery was soon explained. An examination of his room showed that he had been a great reader of "yellow-covered literature." He had accumulated vast quantities of this vile trash, and had read it till his mind had become perverted and completely demoralized; he lived in an atmosphere of romance and excitement, and his ambition was to imitate or witness some of the exploits and exciting scenes that he had thus learned to look upon as living realities. And from this habit alone can be traced the loss to this young man of his good name, and his failing to reach the exalted position he might otherwise have occupied.

And here, in the midst of this congregation of misery and crime, surrounded by five hundred and fifty-five of the selected and unfortunate outcasts of the commonwealth, many of whom owe their degradation to this cause, let me record my solemn protest against the circulating, admitting into the family circle, or reading, of this most pernicious class of literature. No possible good can be derived from it; untold harm and misery have resulted, and will continue to result from its perusal.

With this year closed the administration of Governor Banks. He entered upon the discharge of his duties when the affairs of the state were not in as flourishing a condition as had usually characterized

this ancient commonwealth. He succeeded in infusing into every department of the government the life and energy of his own character. He early saw, and fully appreciated, the momentous struggle then pending, and took the preliminary steps to have the militia of the state placed upon a proper footing, which enabled his successor to answer so promptly the demand from Washington, and send the first armed soldiers to the defence of the capital.

He took a great interest in the affairs of the prison, paying us frequent visits, and granting special interviews to the convicts. His policy in regard to pardons was more in keeping with the proper theory of punishment, and brought about a degree of contentment among the prisoners such as but few who have held the office have been able to accomplish.

1861. January 1, Rev. George J. Carleton entered upon the duties of chaplain, in place of Rev. Joseph Ricker, resigned.

There were several improvements this year. The wharf was enlarged, the old building used for a stone shed, which had so long disfigured the centre of the yard, was removed, and on its site was placed a beautiful and attractive fountain, surrounded with a grass plot, beautified with walks, shrubs, and flowers. A new and substantial building, one hundred and twenty feet long and seventy-five feet wide, was erected for the stone-cutters, on the lot enclosed by the new wall.

The first six months of this year were even more encouraging, pecuniarily, than the corresponding months of the previous year, when there was a profit of $504.86; and had the usual channels of business

continued open, this, without doubt, would have proved one of the most successful years in the history of the prison. But the unhappy war into which the country was forced brought with it a general prostration of business; the branches in which the convicts were employed were particularly affected, from the fact that the articles manufactured were chiefly for the southern market. At the opening of the war, the contractor had upwards of $10,000 worth of hammered stone on hand, which had been ordered by parties in New Orleans and other southern cities.

In consequence of this state of affairs, the contract with Samuel Walker, Esq., for seventy-five men at shoe-making, was closed, he giving the six months' notice provided for in the contract. Charles S. Breed, Esq., for a like number of men employed at stone-cutting, also closed his contract in the same way. The contract with Edward Lawrence, Esq., for one hundred and fifty men for the manufacture of furniture, expired by limitation, leaving but two contracts in force, viz., one for seventy-five men at whip-making, and one for thirty-five men at brush-making; and even these were unable to go on, except upon a reduction of twenty-five per cent. upon former prices. The number of convicts, also, was larger than ever before, reaching, at one time, as high as five hundred and fifty-six. This was a very gloomy period in the history of the institution; for it is a wise and true maxim, that a man's mind must be occupied with something; if it is not taken up with a good thing, it will be with a bad one. Without labor, reformation, or even ordinary discipline, in a prison, is impracticable. If

any general principle in prison discipline is certain, it is, that a society of prisoners in idleness will be a society of increasing depravity; consequently every exertion was made, and every expedient resorted to, to obtain employment for them. Permission was asked of the legislature to authorize the warden and inspectors, with the consent of the governor and council, to put in machinery, and make such changes in working the men as would enable them to improve such opportunities as should offer for profitable employment. This proposition — for some good reason it is well to presume — was refused, and the authorities were obliged to resort to such measures as were within their power, and, without capital, find employment for this large number of able-bodied men. Articles for the army were the only things in demand at this time, and attention was consequently turned in that direction. Contracts were made with the general government for the manufacture of camp-kettles, mess-pans, canteens, tin dippers, infantry equipments, &c., and, notwithstanding the disadvantage under which labor was carried on, the officers succeeded in paying the expenses of the prison into $2,377.20.

On Sunday, March 3, Governor Andrew made his first official visit to the prison. He attended the services in the chapel, and, at the close, addressed the convicts. It is quite unnecessary to say that the impression made upon his hearers was extremely favorable.

A daring and reckless attempt to escape from the prison was made this year by a convict named Thomas Davis. He was an Englishman, a thief by profession,

who was serving a sentence of five years for burglary. Over the door leading from the octagon to the yard, is a stoop about eight feet high; two convicts were at work on the top of this, cleaning the window above. Davis obtained permission to go to the tailor's shop to have his jacket repaired, but, instead, went directly to where these men were at work, ascended the short ladder and drew it up after him, telling the men that he had been sent to assist them; placing the ladder upon the stoop, he was enabled to reach the eaves of the north wing, and from thence to get to the ridge-pole. His next movement was to slide down upon the other side, and stop himself by catching his foot in the gutter; this he did successfully. He was now directly over one of the large Gothic windows; the top of the key-stone, three feet below, projected about an inch from the blank wall; he accordingly let himself down, holding on to the gutter with his right hand, and placing the ends of the fingers of his left upon the top of the key-stone, then letting go his right, and depending upon catching the top of the stone and checking his fall.

When it is understood that this act was actually accomplished at a height of forty feet, and in less time than it takes to read it, it may be imagined how sweet liberty is, for one to take such chances to obtain it. He reached the ground in safety, sprang over the brick wall into the warden's garden; and here, unfortunately for him, he was confronted by a party who objected to his proceeding further: a struggle ensued. He was a strong, athletic man, and armed with a slung-shot, which he had manufactured out of a piece of

inch bar-iron, six inches long, with a leather handle and fastenings to go round the wrist. The sight of a revolver, however, satisfied him that the chances were not in his favor, and he accordingly surrendered and returned to the prison.

This convict was fertile in resources, as this incident will show. The men from each shop occupy a division of cells by themselves; they are marched from their respective shops by the officer in charge, locked up and counted three times each day. To facilitate the counting, the convict is obliged to stand in front of the door of his cell, with his hand through the grating; in the winter they are allowed to wear mittens or gloves. Davis on one occasion prepared a figure to represent himself, and, placing it against the door, with a stuffed glove to represent a hand, thrust through the grating, expecting that the officer, on a dark morning which he selected, would be deceived by it, and return his number as correct. He, in the mean time, concealed himself in the shop until the guard should leave the walls, then intending to scale them and leave.

Fortunately the sharp eye of the officer detected the cheat, and, for the second and last time, he failed.

The following anecdote is an illustration of how the credulity of some men can be worked upon: —

A resident of one of the towns of the Pine Tree State appeared at the entrance of the State Prison, and, in a very mysterious manner, made application to see the warden. His request having been granted, he stated, in a semi-confidential tone, that his visit was of a matrimonial character. He had been in-

formed, he said, that two females, each with a dowry of ten thousand dollars, were incarcerated in the prison, whose only hope of release was marriage with some willing swain of the outside world, who would, by this philanthropic act, release them from the thraldom to which they had been condemned. He wished to obtain a sight of the women in question, in order to make his choice, and then would make the necessary preliminary proceedings for a consummation of the ceremony.

The warden thought this was a new phase of the "speculative Yankee," and made some inquiries as to the social standing of the applicant, who, with some hesitation, acknowledged that he was already provided with one wife, from whom, however, he said he had been for some time separated, though not in a legal manner. He seemed, however, to be of the opinion that it would be no impediment to the accomplishment of his desires; but the warden intimated that such a course might possibly result in his own enforced residence in the same institution. This view of the case had a tendency to check his matrimonial ardor, and he concluded to search for a more favorable field of adventure.

1862. The contracts with the government for army work, from which liberal remuneration was anticipated, besides being able to keep the men employed, were, unfortunately, in consequence of a change in the war department, brought to a sudden close, leaving us with nearly three hundred men unemployed. As the year advanced, business began to revive, and contracts were made with the following

parties, viz., Charles S. Breed, forty men; Messrs. Holmes & Co., one hundred and fifty; Hiram Tucker, twenty; John M. Kinney, forty; and Emerson & Co., forty — all at fifty cents per day. Unfortunately for the institution, in a pecuniary point of view, as business increased, the number of convicts diminished. This was owing to the small number of commitments — only one hundred and twelve for the entire year, the smallest number since 1845 — and the unprecedented number (fifty-four) pardoned; while of those that were received an unusual proportion were inefficient and worthless, so far as their labor was concerned. Every able-bodied man arrested, unless the charge was a serious one, was allowed to enlist in the army, and in that way escape punishment. In the mean time, provisions, clothing, in fact every article used in the prison, advanced in price from fifty to two hundred per cent. Under these circumstances, it was impossible to present a very favorable balance sheet at the close of the year. The deficit was about twenty thousand dollars.

1863. The commitments to the prison were one hundred and eight — an increase of six over the previous year. One hundred and twenty-four were discharged by expiration of their sentence, twenty-eight were pardoned, and seven died. The average number was seventy-five less than the previous year. The deficit was about nine thousand dollars.

1864. The commitments to the prison this year were only seventy-nine — the smallest number in forty years; discharged by expiration of sentence, ninety-nine; pardoned, thirty; and five died. Our numbers

were, consequently, reduced to less than three hundred and fifty. Many expenses are the same with a small as with a large number, viz., officers' salaries, heating and lighting the prison, water, the necessary repairs, &c. The cost of provisions cannot be reduced in the same proportion as the men; about the same quantity would be left over and wasted with three as five hundred. Nearly the same number have to be employed on the part of the state as cooks, tailors, waiters, sweepers, and yard hands in one case as the other, leaving those at work on contract, and from which we derive our only income, relatively less with a small than with a large number: for these reasons, together with the fact that the cost of feeding and clothing the convicts had steadily increased, it was not surprising that, at the close of the year, there was a deficit of about twenty-seven thousand dollars.

This year an important step was taken in regard to the dress of the convicts. For sixty years they had been clad in a party-colored dress, one half red and the other half blue. This was in accordance with a law passed at that time, which was repealed, at my suggestion, a few years since, leaving the whole matter in the hands of the warden and inspectors.

The reasons which existed at that period for so marked a dress had passed away. The idea then entertained by the authorities that every effort should be made to humble and degrade the convict, had become obsolete. The question had been raised as to whether it was not cheaper to reform the prisoner, and return him to society improved, prepared and willing to gain an honest living, than to discharge him hardened by

brutal treatment, the little manhood he might have brought with him into the prison entirely crushed out, feelings of hatred and revenge rankling in his bosom, with the certainty that the remainder of his life would be spent in violence and crime.

Believing it to be a step in the right direction, the party-colored dress was discarded, and one of plain blue substituted.

A very pleasing and interesting event this year was the visit of Miss Susannah Evans, the youthful lecturer, to the prison, who addressed the convicts in the chapel. There were present quite a number of ladies and gentlemen from the city, together with members of the governor's council, and members of the legislature. Miss Evans was introduced by B. W. Williams, Esq., of Boston, and made a very touching and deeply interesting address. She warned them, in the most earnest manner, to beware of the intoxicating cup, and entreated them, when they left the prison, to shun the grog-shop as their greatest enemy. She pictured the drunkard in the most fearful but truthful language, and made a deep impression upon the prisoners.

To see a young girl of only sixteen summers stand up before that large congregation of hardened criminals, and draw the tears from their eyes by her earnest words, was a scene never to be forgotten by those who witnessed it. Every eye was fixed upon her, as, with tremulous voice, she spoke to them of their mothers, wives, children, and friends at home.

It will be remembered that this year (1864) was an important one in the history of the great rebellion. Although its power had reached its height the year

before, when the army under General Lee was hurled so desperately but unsuccessfully against the Union army at Gettysburg, under General Meade, yet it was still strong; and great preparations were being made to carry into execution those masterly movements under Grant, Sherman, Sheridan, and Farragut which finally crushed the military power and annihilated the hopes of the southern people. Perhaps no body, outside of the military and naval departments, did so much to insure the success of our arms as the Sanitary Commission. This Commission was composed of those actuated by the highest and purest motives — men and women who gave their time, money, and, in some cases, their lives, to care for the sick and wounded soldier. Nothing in the history of the world can equal it in moral grandeur; every previous effort of the kind sinks almost into insignificance in comparison. Its history will stand an eternal monument to the philanthropic and Christian element of the American people. Although the debt of gratitude we owe our soldiers and sailors is great, and cannot be repaid by us, yet the obligations we are under to the patriotic women of our land claim a consideration second only to them. The vast sums of money so liberally contributed by our citizens, either directly, or indirectly through the various fairs held for that purpose throughout the country, enabled the Sanitary Commission to supply the sick and wounded with the care, attention, proper nourishment, and even delicacies, so necessary in such cases, but which would have been impossible for the government to have done. The amount of misery and distress alleviated, the number of precious lives saved, can never be computed.

In December of this year a fair was held in the Boston Music Hall, to aid the Sanitary Commission. A few weeks previous to the opening it occurred to me that our convicts might feel an interest in the matter, and contribute something towards it. Accordingly, one morning, in the chapel, I informed them what the community outside was doing to make this fair successful, and stated that if any of them had a desire to assist the cause, they were at liberty to manufacture such articles as they might be able to in their cells, and in their own time. The announcement was received with a burst of applause such as the oldest resident of the prison had never heard in the building before.

At once their fingers became busy in forming curious and beautiful articles. At the end of four weeks they were collected and exhibited at the prison. Hundreds availed themselves of the opportunity of visiting the institution and examining the unique collection; among the number were Governor Andrew and Edward Everett, both of whom expressed their admiration at the skill and workmanship displayed.

Mrs. Governor Andrew and Mrs. Julia Ward Howe volunteered to assist the wife of the warden in taking charge of the table. Every article was sold, realizing upwards of nine hundred and fifty dollars.

The following year another fair was held in the Boston Theatre to aid the sailors, to which our inmates contributed even more liberally than to the first. The sales amounted to upwards of sixteen hundred and twenty-five dollars. Many instances might be mentioned where convicts, unable to make anything,

and desirous of doing something, contributed money in sums varying from eighteen cents (all he had in the office) to quite large amounts. One had a gold ring, another a silver watch, taken from them for safe keeping when committed, which they wished to give to the cause. The interest displayed by them upon these occasions was not surpassed by any class in the community.

Another instance of the liberality of these men has since occurred, on the occasion of the great fire at Portland. Although newspapers are not allowed in the prison, and the practice has been, as far as possible, to keep convicts in ignorance of all matters transpiring in the outside world, yet, during the war, and on other occasions, I have given them information in regard to events which I thought would be interesting, and from a knowledge of which no injury to them or the discipline of the institution could possibly accrue. This has usually been done when they were assembled in the chapel for prayers in the morning.

Upon the occasion in question, after announcing to them the sad affair, the number of poor people who had lost their all, and been rendered houseless by the terrible catastrophe, that efforts were being made throughout the land to raise money for their relief, and that one dollar then would do more good than two coming later, I closed with the remark, that if either of those present felt disposed to contribute, no matter how small the sum might be, I would see that it was transmitted to the proper authorities without delay. The result was, that upwards of two hundred dollars was immediately raised and despatched at once to

the sufferers. The donation was more valuable from the fact that it was one of the first that reached them.

1865. Contracts were made this year with the American Whip Company for seventy-five men at seventy-seven cents per day, with H. S. Doane & Co. for thirty-five men at one dollar per day, and with Hiram Tucker, Esq., for fifty men at eighty-three cents per day.

One hundred and twenty-nine were committed to the prison, sixty-six discharged on expiration of sentence, twenty-five pardoned, and five died. Of these deaths one was of a convict who was arraigned for murder; but being, in the opinion of the physicians who examined him, in the last stages of consumption, he was permitted to plead guilty to manslaughter, and sentenced to twenty years' imprisonment; he died on the third anniversary of his commitment. The second was a negro, here for the third time, who had spent most of his life in this and other prisons. The third was serving his fourth, a life-sentence for murder; and, although but thirty-two years old, he had passed fourteen years — the last five in close confinement — in this prison. The fourth was an old man, sixty-seven years of age, who was also serving his fourth term here. He was a finely-educated man, formerly a prominent merchant doing business on Cornhill, Boston, commencing, when a young man, in a store next door to the one occupied by Amos and Abbott Lawrence; and, as he has often told me, at one period he considered his prospects, in every respect, quite equal, if not superior, to theirs. Misfortune at last overtook

him, and to maintain his position in society, he resorted to what was then termed "obtaining money under false pretences," or "forgery," but at the present time more politely called "*irregularities.*" The community at that time had not been educated up to the present standard of morality upon this question; and the amount of money obtained being contemptibly small, showing a narrow mind in this particular, he was actually convicted, no exceptions being taken to the ruling of the court, or verdict, and was punished in accordance with the law.

Notwithstanding the clouds which had gathered around him, he suffered in silence, maintaining to the last the same quiet and dignified demeanor so characteristic of a gentleman of the old school.

The number in the prison at the close of the year was three hundred and seventy-nine. The same causes which operated against the financial success the previous year had not yet been overcome; but a speedy change for the better was anticipated. The deficit this year was about twenty-two thousand dollars.

The following table, showing the cost of some of the most important articles used in the prison at the present time, compared with the prices four years previous, may not be uninteresting. It will explain the cause of the deficits.

ARTICLES.	1861	1865
Hard Coal, per ton,	$5 00	$14 00
Cumberland Coal, per ton,	7 00	12 00
Sheeting, per yard,	10	34
Shirting, per yard,	10	34
Red and Blue Satinets, per yard,	50	1 50
Sole Leather, per pound,	21	39
Upper Leather, per pound,	19	23
Codfish, per pound,	03	07½
Flour, per barrel,	5 50	8 50
Indian Meal, per bushel,	69	1 10
Rye Meal, per bushel,	75	1 12
Molasses, per gallon,	26	65
Beef, per pound,	04⅜	08
Pork, per pound,	07½	14
Potatoes, per bushel,	32	75
Peas, per bushel,	90	2 00
Beans, per bushel,	1 50	2 25
Malt, per bushel,	1 50	3 00
Pepper, per pound,	11	40
Vinegar, per gallon,	10	32
Salt, fine, per bag,	1 85	3 38
Salt, coarse fine, per bag,	1 75	2 12
Lime, per cask,	75	2 25

This year was characterized for the good order, obedience, and industry which prevailed among the convicts. No cases of violent outbreak of ungoverned passions, such as sometimes have taken place in the prison, occurred, but an almost uniform observance of the rules of the institution prevailed.

With this year closed the administration of Governor Andrew, he having served five years, from the commencement to the close of the war. No governor had ever been called upon to discharge duties so impor-

tant and complex as those which fell upon him. A man of peace, opposed both by nature and principle to violence of every description, he was at once immersed in the excitement and turmoil consequent upon active warfare. He entered the arena with the misgivings of his friends, the warmest of whom, had they anticipated the extent and nature of the conflict then pending, and the position Massachusetts was to occupy in the struggle, would have shrunk from placing the responsibility in his hands. Not that his patriotism or ability was questioned; but, like David of old, he was the last person who would have been selected for such an exigency. He proved himself, however, clearly to be the man for the times, disappointing both friends and foes by the energy he instilled into every department, the statesmanship he displayed, and the wonderful capacity he developed for grasping and overcoming every question and obstacle which arose.

It is with no desire to disparage or detract from the well-earned fame or achievement of other states, when I say that Massachusetts, through her governor, did more towards advocating and sustaining those great principles which ended in the proclamation of emancipation, and the final overthrow of the rebellion, than any other state in the Union. She, after repeated attempts, obtained permission, and sent the first regiment of colored soldiers to the seat of war, fully equipped, and as well drilled as any that went from the commonwealth, solving at Fort Wagner the great problem as to whether the negro would fight, and foreshadowing the final result of the war.

It is not my intention to discuss the public or private character of Governor Andrew: this is left for others more competent, and for an occasion more appropriate than this. I cannot forbear alluding to the interest he ever took in the welfare of this institution, and everything connected therewith. He always found time, notwithstanding he was occupied from morning till night in the affairs of the state and nation, occasionally to pay us a visit, to examine and investigate all cases presented to him for consideration, without regard to whom the parties might be, or the offence with which they were charged. The labor he performed in this way was far greater than can be imagined by any one not familiar with the subject. Instances might be cited where he had taken the trouble to go personally to look up the records of the courts in cases in which he had become interested. His wish was, that every convict, who desired to do so, should have an opportunity to explain to him, verbally or in writing, the circumstances of his case. And of the hundreds that availed themselves of this privilege, not one, to my knowledge, was ever neglected or forgotten.

The following extract, from a sketch of his life by A. G. Brown, Jr., Esq., published in the North American Review, can be vouched for as being correct, and is but one from a large number of similar cases which might be given. I take the liberty to quote as follows: —

"It was characteristic of his habit to hold every one strictly to the full measure of duty. So was his indignation aroused, one dreary afternoon, the day before Christmas, on finding that the office of the secre-

tary of the commonwealth was closed half an honr earlier than usual. There was a severe snow-storm raging, which suspended business through the city, and the clerks of the office had closed it, forgetting that there should have been drawn and forwarded up stairs during the day, for the governor's signature, a pardon which had been granted to a convict in the State Prison, according to a custom which prevailed with him to grant one pardon, upon the recommendation of the warden, every Christmas morning. It irritated him that the clerks below should have forgotten such a duty. During his own hard work through the day, the thought of the happiness which the morrow would bring to that convict had lightened his heart, and he felt a positive pain that others should not have shared that feeling. Though unwell, he hastily broke out of the room, walked through the driving snow, across the city, to the house of one of the officers of the state department, brought him back to the State House, stood by him while the pardon was drawn, and the great seal of the commonwealth was affixed to it, signed it, and then despatched it by one of his secretaries to the warden at Charlestown."

The following incident is introduced for the purpose of showing that, although interested in, and willing to do everything in his power to assist and encourage, those who, from circumstances over which they might or might not have control, had become convicts, yet he was indignant at the thought that any one should attempt to deceive him, or obtain favors through misrepresentation.

One morning the Boston Daily Advertiser contained an official announcement that J***** H***, Jr., had been appointed a justice of the peace for Suffolk county. Having some business to transact at the State House, a few days later, I took occasion to inquire of his excellency if he knew who this J. H. was. He did not; all that he remembered was, that the name was presented in the usual way by the member from Suffolk County, and the appointment was made. An examination showed that the petition accompanying the application was signed by some of the first men in the city, who, however, were ignorant of the facts which afterwards appeared, illustrating most forcibly the utter worthlessness of such documents. The writer, if allowed the digression, would state, that within eighteen months he gave a man an office in this prison, upon a recommendation and petition, signed by a member of the governor's council, judge and clerk of one of our courts, district attorney, minister of the gospel, county commissioner, and a long list of other influential citizens, and within one month from the time he was appointed, I was obliged to discharge him, he not possessing one solitary qualification for the position, and from his bad habits not to be trusted in any situation. He is now in prison.

This J. H. proved to be a man who had not only recently been discharged from this prison, but who, in consequence of being drafted, applied to the warden and obtained from him a certificate to that effect, pleading before a board of enrolment his conviction of felony, and proved his own identity as a discharged convict from the State Prison, in bar of all claim on

the part of the national government, under the act of Congress of March 3, 1863, to his serving as a soldier in the public defence.

The governor immediately sent for him, and requested the surrender of his commission, which was refused. The legislature being in session, his excellency laid the whole matter before that body, and he was removed.

Governor Andrew's idea was, that a prison should be for the reformation of convicts; that the community had a right to restrain a man, but without punishment. He only who could look into the heart and read its secrets could measure the punishment due to any particular crime. The reasons so often presented for a pardon, that the party was well educated, and had influential friends, did not always have the desired effect. He had more sympathy, and very properly, too, with the ignorant and lowly, those who had enjoyed few, if any, advantages; and he considered no sacrifice of time or labor on his part too great when this class could thereby be benefited.

The interest Governor Andrew had taken in the institution did not cease with his retirement from office. He was sure to drop in occasionally to see us, particularly on our holidays. It was a singular and interesting sight to see him in the yard, surrounded by a crowd of these men, answering their questions, giving a word of encouragement here, and a bit of advice there, having a kind word and genial smile for all.

His last visit to the prison was on Fast Day, 1867. He had promised to be present, and Governor Bullock

was also expected. Our services in the chapel commenced, as usual, at ten o'clock, and were about closing, neither of the distinguished gentlemen having arrived. The warden was expressing his regret at the disappointment, when suddenly Governor Andrew appeared at the door, he having mistaken the hour. The tumult of applause with which he was greeted showed the feeling that existed in the hearts of these unfortunate men towards him. He made them one of his characteristic speeches, full of humor, encouragement, and good advice, which was listened to with the deepest interest.

The announcement of his sudden death was received with the strongest expressions of sorrow and grief, many shedding tears, and all feeling that in him they had lost a true friend, one difficult to replace.

How much other bodies and associations might have been affected by the sudden death of this great and good man, I am sure that nowhere, outside of his own family, was there more genuine sorrow for his loss than in the State Prison.

1866. The number of commitments to the prison this year was two hundred and forty-seven — a much larger number than in any previous year; discharged by expiration of sentence, seventy-six; pardoned, sixteen; died, nine; leaving in the prison, at the close of the year, five hundred and eighteen.

Among the deaths was that of a man who was sentenced in the Superior Court, Boston, and received at the prison late of a Saturday afternoon. He complained of not feeling very well, but remarked that he was better than he had been. He was placed in a

cell, and the regular rations given him. The following day being Sunday, he was not taken out for the usual examination. On Monday morning he was found in a sinking condition, removed immediately to the hospital, and he expired before noon. An officer was within hearing night and day, and the slightest movement on his part would have been heard, and assistance rendered him if required.

Of the two hundred and forty-seven prisoners received this year, one hundred and seventy-one, or about seventy per cent., had been in the army or navy, and only six per cent. had ever been in this prison before. They were all, with two or three exceptions, active young men, their average age being less than twenty-five years.

It was a sad sight, and one to be regretted, that so many noble defenders of the "old flag," some of whom had participated in battles from the first Bull Run to the surrender of Lee, mutilated and covered with scars (one had upon his body the scars of eight wounds received in one battle), and whose record in the war, with few exceptions, was good, should terminate so glorious a career in the State Prison. It is also a subject of congratulation — of wonder, perhaps — that such a large body of men, thrown suddenly upon the country at the close of the war, should have been absorbed as quietly as they were, without disarranging to a much greater extent the affairs of the community. Its parallel cannot be found in the world's history.

Most of these men enlisted quite young, before they had become established in any regular business. Eighty-

four per cent. of them had no trades. Upon their return from the war, they found the situations they had vacated filled, and employment of any kind difficult to obtain. They also found what they had supposed would be a recommendation — service in the army — was, in truth, a disadvantage, an objection to them. They were distrusted; people hesitated about giving them work, fearing they had become demoralized in the army. The money they had received upon their discharge was soon gone; and it is not strange, nor to be wondered at, that, in consequence of this great disappointment, many became reckless, desperate, and that crime followed. The disposition evinced by the people to stimulate the soldier to enlist, and to encourage them while in the field, was to a great extent discontinued upon their discharge; and, although much was done by individuals to aid and assist them in obtaining work, the community at large failed to render them the assistance which they had a right to expect, if not to demand.

One of the workshops, the attic of which was used by the contractor, F. M. Holmes & Co., for the storing of lumber, tow, "excelsior," and other combustible materials, was nearly destroyed by fire this year. The roof, attic, and the room occupied by the upholsterers, were entirely burned out. The fire is supposed to have originated in spontaneous combustion. In seventeen days, the shop, which was one hundred and thirty feet long by forty wide, was rebuilt, an extra story added, and occupied by the workmen, the greater part of the labor being performed by the convicts.

For the first time since 1860 the prison was self-

supporting — the receipt over expenditures being eight hundred and twenty-nine dollars and twenty cents. This was to some extent owing to the fact that the number of convicts had increased, and the fifty men employed by Mr. Hiram Tucker were transferred to the Tucker Manufacturing Company, and a new contract made with said company for two hundred men, by which arrangement work was furnished for all our prisoners.

1867. One hundred and twenty-eight were committed to the prison this year, ninety-one discharged on expiration of sentence, fourteen pardoned, and seven died, leaving at the close of the year five hundred and thirty-seven inmates. The daily average was five hundred and thirty-four.

The contract held by F. M. Holmes & Co., for the last five years, terminated on the 1st of July of this year. The men (one hundred and fifty) were secured by the Tucker Manufacturing Company, who, by this contract, are to pay one dollar and seven cents per day for them, it being an advance of fifty-seven cents upon the price previously received. These men are in future to be employed in the manufacture of bronzed iron-work. And it is with pride that I allude to the fact that this company received a silver medal at the late Paris Exhibition; and so greatly interested were their majesties, the Emperor of France and the King of Prussia, in the beauty and workmanship of the articles exhibited, that they not only paid several visits to the American department to examine them, but made quite extensive purchases from the collection.

This company has also taken several gold medals

from various exhibitions and fairs held in this country; and their chandeliers, gas-fixtures, iron-work, and bronzes, for beauty, durability, and cheapness, are unequalled.

A new feature was introduced into the institution this year, consisting of a course of lectures given evenings in the chapel. The course included the following: —

American Mechanics, . . .	By the Warden.
On Chemistry, ...	Prof. J. R. Nichols.
General Mitchell, ...	Rev. J. D. Fulton.
Our Country, ...	Rev. W. F. Mallalieu.
Battle of the Monitor and Merrimac,	Rev. Mr. Clark.
Select Readings, ...	Stacy Baxter, Esq.
Battle of the Wilderness, . .	Lieut. Mills.
A Musical Entertainment, . .	Amateurs of the City.
Egypt, ...	Rev. Dr. Eddy.
Jonathan and his Works, a Poem, .	Rev. Mr. Walker.
The Human Skeleton, . . .	Dr. S. H. Hurd.

That the experiment proved a success can be readily understood, but the real benefit conferred can never be known. To many of the inmates it was a great novelty, coming as they do from classes not much in the habit of patronizing lyceum lectures. But to all they were interesting and instructive to a great degree, awakening in the minds of many thoughts and aspirations previously unknown, and causing an unprecedented demand for books and information upon the various subjects discussed.

During the summer a fair was held at the prison for the purpose of raising money to purchase an organ for the chapel. The prisoners contributed

the articles, all of which were made by them, and in their own time. It proved quite successful, the receipts amounting to five hundred and fifty dollars — enough to purchase the organ and pay all the necessary expenses attending the fair. This sum was but an item when compared with the amount of good realized by the donors in being permitted to purchase the instrument.

The sum of fifty thousand dollars was appropriated for the purpose of extending the west wing of the prison and putting in one hundred additional cells. This work was accomplished in a thorough manner, and the entire cost was about thirty-eight thousand dollars. The prison now contains six hundred and fifty-two cells, independent of the hospital and old arch. It was thought by some that the above addition was unnecessary, and that the new cells would not be required for some years to come; yet, at the time of writing this paragraph, we have fifty-six prisoners more than we had cells for before this improvement was made.

In extending the west wing this year, the last vestige of the machinery connected with the barbarous practice of whipping, which for over sixty years had, to a greater or less extent, been connected with the discipline of the prison, was removed. It consisted of two iron rings fastened in the wall, about six feet from the floor, and five apart. To these were attached small pulleys, with cords running through them, to which the wrists of the victim were fastened and drawn tight. His ankles were also made fast to iron staples. Thus secured to the wall of the lowest

dungeon, from whence the shriek of the strongest man could not reach the outer world, with his back bared, he was prepared to receive that discipline to which so many cling, even at this late day. By his side, in this dimly-lighted cavern, with coat removed, and sleeves rolled to the shoulder, to insure the greatest freedom to the limb grasping the heavy "cat," stands the executioner, (surely the most fitting title) — one usually selected for his muscle and lack of brains. And the great wonder among the advocates of this system was, that the convicts did not improve under this *humane* treatment, but, notwithstanding the pertinacity with which it was followed up, actually became worse.

Is it strange that, driven to desperation by the lash and shower-bath, with intellect and reason often clouded, they should sometimes turn upon their tormentors, and, taking vengeance into their own hands, astonish and electrify the community with the atrociousness of the crimes they were capable of committing?

In a financial point of view this was the most successful year ever known in the institution. The receipts were $118,011.10, and the expenditures $95,664.94, leaving a clear profit of $22,346.16. This result was obtained notwithstanding the salaries of the officers were increased this year about $6000, and the price of provisions of all kinds higher than ever before.

1868. This year was commenced under more favorable auspices, probably, than any previous one. The prisoners were all employed, and the state

receiving liberal compensation, compared with previous prices. Good order, industry, and a disposition to submit cheerfully to the necessary discipline, prevailed almost universally. In this particular I think the year has never been surpassed.

The number committed this year was 180; discharged on expiration of sentence, 112; pardoned, 34; died, 6; remaining at the close of the fiscal year, 558; daily average, 546.

The course of lectures this year consisted of the following: —

Washington, the National Capital,	C. H. Brainard, Esq.
Self-culture, ...	Rev. W. F. Mallalieu.
Reading of Christmas Carol, .	The Warden.
Select Readings, ...	Stacy Baxter, Esq.
Hope, ...	Rev. Mr. Morris.
Subject without a name, . .	The Warden.
Improvements in seventy years,	Rev. L. F. Beecher, D. D.
Sunbeams, ...	Rev. H. W. Warren.
Joan of Arc, ...	Rev. C. F. Barnard.
Musical Entertainment, . .	Amateurs of the city
Astronomy, ...	M. Salom, Esq.
Friendship, ...	Rev. W. R. Alger.

The receipts for this year were . .	$136,639.79
Total expenses, ...	108,993.30
Clear profit, ...	27,646.49
Profit last year, ...	22,346.16
Profit for the two years, . . .	49,992.65

SKETCHES AND INCIDENTS.

CHAPTER III.

SKETCHES AND INCIDENTS.

DURING my official connection with the institution, many incidents have taken place of vivid interest. Many of the most striking have been put on record at the time of their occurrence, some still linger in the memory, while others have passed out of mind in the busy scenes of daily life. There are many sketches in my possession which would be very interesting to the public, but which a proper regard fo. the feelings of some still living would not allow of publication; but from other incidents of a personal character, where no such objection exists, it has been thought desirable to select a few as illustrative of prison life. It would be easy to fill volumes with such material, but it is not expedient.

In 1824 a serious mutiny occurred at the prison, which in its ultimate suppression presented a most impressive exhibition of moral courage opposed to wild ferocity. It was on the 12th of March, and the prison was at that time without a legitimate head, by reason of the death of the warden five days previous: —

The author is largely indebted to an article published in the New England Galaxy, shortly after, for the following account of the affair: —

Three convicts had been sentenced, under the rules of the prison, to be publicly whipped in the yard, and were confined in the solitary cells waiting punishment. An officer, whose duty it was to attend to such cases, entered one of the cells to see that everything was right, when the inmate sprang past him, closed the door, and locked him in. He then opened the doors of the cells in which were the other two, and the three, after deliberation, released the officer, and ordered him to approach the door leading into the guard-room, and give the necessary signal that all was right, while they stood ready, on its being opened, to rush through, and secure the guard and the arms in the room. The officer resolutely refused. They threatened to kill him; and one of them raised a file, sharpened to a point, with the intention of carrying the threat into execution; but the officer remained firm, telling them that they might take his life, but he would not betray his trust. The other two finally interfered and saved his life, forcing him back into the cell, and locking him in. They then passed into the large dining-hall — a long, dark, and damp room. The alarm had already been given, and the prisoners rushed from the workshops, arming themselves with clubs, knives, hammers, chisels, and every variety of weapon within their reach, forming a band whose strength, vileness, and reckless daring could hardly be equalled. Men of all ages and characters, guilty of every variety of infamous crimes, dressed in the motley and peculiar garb of the institution at that period, and displaying the wild and demoniac appearance that always pertains to im-

prisoned wretches, were gathered together for the single purpose of preventing the punishment which was to be inflicted on the morrow upon their comrades.

The acting warden and some other officers of the prison were there at the time, and were naturally greatly alarmed at the consequences likely to ensue from the conflict necessary to restore order. They huddled together, but could scarcely be said to consult, as the stoutest of them lost all presence of mind in overwhelming fear. The news rapidly spread through the town, and a subordinate officer, of mild and kind disposition, hurried to the scene, and, calm and collected, went into the midst of the officers. The most equably tempered and the mildest man in the government (as is usually the case) was, in this hour of peril, the firmest. He instantly, upon his own responsibility, despatched a request to Major Wainwright, commander of the marines stationed at the navy-yard, for assistance, and declared his purpose to enter the hall, and try the force of firm demeanor and persuasion upon the enraged multitude. The other officers exclaimed against an attempt so full of hazard; but in vain. They offered him arms — a sword and pistol; but he refused them, and said that he had no fear, and, in case of danger, arms would be of no service; and alone, with only a little rattan, which was his usual walking-stick, he advanced into the hall to hold parley with the enraged and desperate villains.

He demanded their purpose in thus coming together with arms, in violation of the prison laws? They

replied that they were determined to obtain the remission of the punishment of their three comrades. He said that was impossible; the rules of the prison must be enforced, and they must submit. At the hint of submission, they drew a little nearer together, prepared their weapons for service, and as they were dimly seen in the farther end of the hall by those who observed them from the grating that opened to the day, it was difficult to conceive of a more appalling sight, or one of more moral grandeur, than that of a single man standing within their grasp, and exposed to instant death if a word or look should add to the already intense excitement.

The excitement, too, was of the most dangerous kind; it did not break forth in noise and imprecation, but was seen only in the dark looks and the strained nerves, that showed a deep determination. The officer expostulated. He reminded them of the hopelessness of escape; that the town was alarmed, and that the government of the prison would submit to nothing but unconditional surrender. He said that all those who would go quietly away should be forgiven for this offence; but that if every prisoner was killed in the contest, power enough would be obtained to enforce the rules of the prison. They replied that they expected some would be killed, but that death would be better than such imprisonment; and with look and tone which evinced an indomitable purpose, they declared that not a man should leave the hall alive till the sentence of flogging was remitted.

At this period of the discussion their evil passions seemed to be more inflamed, and one or two proposed

to kill the officer, who still stood firm, and with more temperate impulse than did his friends, who saw from above, but could not avert, the danger that threatened him. Just at this moment, and in about fifteen minutes from the commencement of the tumult, the officer saw the feet of the marines, on whose presence alone he relied for help, filing by the small lights. Without any apparent anxiety, he had repeatedly turned his attention to their approach, and now he knew that it was his only time of escape, before a conflict for life, as was every moment expected, should begin. He stepped slowly backward, still urging them to depart before the officers were driven to the use of firearms as a last resort. When within three or four feet of the door, it was opened and closed instantly again as he sprang through, and so was unexpectedly restored to his friends.

Major Wainwright was requested to order his men to fire down upon the convicts through the little windows, first with powder, and then with ball, till they were willing to retreat; but he took a wiser as well as bolder course. Relying upon the effect which firm determination would have upon men so critically situated, he ordered the door to be again thrown open, and marched in at the head of thirty men, who filed through the passage, and formed at the end of the hall, opposite the crowd of criminals grouped together at the other end.

He stated that he was empowered to quell the rebellion; that he should not quit that hall alive till every convict had returned to his duty. They seemed balancing the strength of the two parties, and replied

that some of them were ready to die, and only waited for the attack to see which was the most powerful, swearing that they would fight to the last unless the sentence of flogging was remitted, for they would not submit to any such punishment in the prison.

Major Wainwright now ordered his marines to load their pieces, and, that they might not be suspected of trifling, each man was told to hold up to view the bullet which he afterwards put into his gun. This only caused a growl of determination, and no one blanched, or seemed disposed to shrink from the foremost exposure. They knew that their numbers would enable them to bear down and destroy the handful of marines, after the first discharge.

The marines were ordered to take aim — their guns were presented — but not a prisoner stirred, except to grasp more firmly his weapon. Still desirous, if possible, to avoid such a slaughter as must follow the discharge of the guns, the major advanced a step or two, and spoke even more firmly than before, urging them to depart. Again, and while looking directly into the muzzles of the guns, which they had seen loaded with ball, they declared their intention of fighting it out. The intrepid officer then took out his watch, and told his men to hold their pieces aimed at the prisoners, but not to fire till they had orders. Then, turning to the convicts, he said, "You must leave this hall. I give you three minutes to decide. If at the end of that time a man remains, he shall be shot dead. I speak no more." No more tragic situation than this can be conceived — at one end of the hall, a fearless multitude of desperate and powerful men waiting for

the assault; at the other, a little band of well-disciplined marines, waiting with levelled muskets, and ready on the least motion or sign to begin the carnage, and their tall commander holding up his watch to count the lapse of the three allotted minutes. For two minutes not a person or muscle was moved; not a sound was heard in the unwonted stillness of the prison, except the labored breathings of the infuriated wretches as they began to pant between fear and revenge. At the expiration of two minutes, during which they had faced the ministers of death with unfaltering eyes, two or three of those in the rear, and nearest to the farther entrance, went slowly out; a few more followed the example, dropping out quietly and deliberately; and before half the last minute was gone, every man was struck by the panic, and crowded for exit, and the hall was cleared as if by magic.

Thus the steady firmness of moral force, and the strong effect of deliberate determination, cowed the most daring men, and suppressed a scene of carnage which would have instantly followed the least precipitancy or exertion of physical force by the officers or their subordinates.

This conspiracy caused much discussion at the time, both in and out of the legislature, which finally terminated in the building of that part of the prison called the North Wing, and an entire change in the system and discipline.

On the morning of June 25, 1824, one Walter Watts was found dead in his cell, suspended by the neck. The following lines were written with a piece of coal upon the wall of his cell: —

"I have got my bane and antidote both before me — the Bible and a rope. I have nothing against the treatment I have received here, but have been very unfortunate in this life in many instances. I will bid you all farewell, and that is more than the devil would do. I never asked a favor of any man in my life, and all that I now want is, that my body may be buried. I believe in an omnipotent God, and trust in his mercy, as I have never injured any man so much as myself. Death before seven years of slavery, and be like a dog. You may say poor devil. If I cannot have the pleasure of my own blood, no one else shall rule over me. I would not have you think that there is any priestcraft about me. Let me sink as a stranger in the crowded streets of busy London. A few will crowd in and inquire, and then let me be forgotten.

"I consider this (Sunday) the best day to end my troubles on this side the grave.

"WALTER WATTS." *

* As a curious sequel to the above, the writer would relate the following incident. In 1866 a woman of quite respectable appearance called at the prison to see the warden. Her business with me, she said, was to ascertain something in regard to the effects of her brother, who had been an inmate, and died in the prison. She gave me his name — Walter Watts. I said I had no recollection of such a man. She replied that possibly he might have died before my connection with the prison. On examining the records, I found that he had been dead just twenty-eight years. As his effects, which, she said, consisted of the clothes he wore to the prison, a Bible, and razor, had never come into my possession, I could give her no information of what became of them. "Well," she said, as she took up an empty carpet-bag she had brought with her,

During Mr. Frothingham's administration as warden (1850–1), one J. W. was committed to prison, on a sentence of sixteen years, for robbing a bank in the vicinity of Boston. W. was an original character, born in London, educated and brought up a thief from childhood; he had passed through all the different grades, from a juvenile purloiner of pocket handkerchiefs and house-breaker, until he reached the top of the ladder, as bank robber. Perfectly skilled in all the arts of the profession, he was, without doubt, one of the most dangerous and accomplished robbers we have ever had in the country. He was the very soul of honor, in his way — that honor which the old adage says exists among thieves. His word, once given, could be relied upon; he took great pride in saying that he was never guilty of what he considered a mean action.

He was fond of relating to those who, he thought, could appreciate them, his exploits, throwing in the light and shade with as much nicety as does the artist upon the canvas.

On one occasion, before leaving London, he was loitering about the Bank of England, when a carriage drove up, and a lady alighted and entered the bank. He followed, and saw her receive a package of bank notes and return to her carriage. Quicker than thought, and before the coachman had time to start the horses, he threw off his hat, and with a pen behind his ear,

"I suppose it's my own fault. I ought to have come sooner, and was intending every year to come down, but have not been able to till now;" and wishing me a good morning, she passed out of the office.

he ran down the steps to the carriage door, and accosted the lady thus: "I beg your pardon, madam, but we neglected to take the number of those notes; if you will allow me one moment," at the same time stretching forth his hand, into which she involuntarily placed them: he turned upon his heel, passed into the bank by one and out by another door, leaving the lady patiently waiting his return.

One of his exploits in this country, as related by himself, was as follows, and is another illustration of the patience and pertinacity with which these men will cling to a project once conceived and entered upon: —

A messenger was employed to carry to and from the city of Philadelphia, for exchange, the bills of some country banks. He was a very cautious individual, never trusting his bag, which contained his charge, from his side, or his hand from resting upon it. W., and some parties associated with him, entered into a scheme to rob this messenger. Their plan was (for he never countenanced violence) to obtain a bag precisely like the one carried by their intended victim, and, by watching an opportunity, exchange them. For over two years one of the party rode either one way or the other with him, without being able to carry it into execution. Fortune, however, favored them in the end. One day the messenger was seated in the car, as usual, with his bag on the seat by his side, his hand resting upon it, and directly behind him one of the rogues, who had followed him like his shadow, with a duplicate bag. In a few moments a lady entered the car, and took a seat on the opposite side

of the passage-way from the messenger, and recognised him. As he leaned across to shake hands with her, quicker than a flash of lightning the bags were exchanged, and the "job" finished.

The prize was worth between forty and fifty thousand dollars.

On another occasion he informed me that he made and fitted the keys, and had, for several weeks, the means of entering a bank, waiting for a sufficient amount to accumulate before robbing it.

In the affair which brought him to this prison he acted very honorably in the end. There were three in the party, and the money, about twenty thousand dollars, was divided among them. W. was the only one sentenced, he having pleaded guilty; and he informed the officers of the bank where his share of the plunder was buried, which they obtained. Subsequently, at an interview with them at the prison, on being appealed to for further information, he slipped off his shoe, and took from his stocking, and gave them, about seven hundred dollars, which he had smuggled into the prison.

As his term of imprisonment drew to a close, the officers of the bank were somewhat disturbed with the idea that he might possibly pay them another visit, and consulted the writer in regard to it. I thought that the word of this accomplished rogue could be relied upon; and as he had then but about one year to remain, and in consequence of his pleading guilty, and restoring his part of the money, there could be no impropriety in their applying to the governor for a pardon for him, with the understanding that he

would not again trouble their bank, — a pledge he readily gave, — he was accordingly released.

He very soon disappeared from this vicinity, and the writer has never heard from him since, unless when reading accounts of exploits directly in his line, and bearing upon the face of them the impress of his skill and ingenuity.

The following account of a young man who served three years in the prison is selected from a large number of similar cases which have come under my observation. In fact, every year is adding to the number, not confined to the young men with moderate salaries and slight defalcations, but including those holding positions in church, state, and mercantile communities, and whose "irregularities" amount, in some cases, to fabulous sums. This is no doubt owing, in a great measure, to the extravagance of the age. The man who, a few years since, could live comfortably upon ten or twelve hundred dollars a year, now requires double or treble that amount to keep up with the times, and is tempted, in many instances, to resort to dishonorable or actually criminal means to obtain it. It is often the case that a young man, starting in life, gets the idea into his head that his predecessors belonged to a slow race, and those by whom he is surrounded are not up to his standard; in short, that he knows a little more, and is a little smarter, than others. He becomes impatient to make a fortune, and thinks he has only to strike out for himself, and success will be certain. This is a mistake which ends too often in

bankruptcy, sometimes in crime. The man who would shudder at the thought of becoming a thief, or of committing a crime that would send him to the State Prison, is often, by a train of circumstances, led on, step by step, till he becomes involved, and then, for the want of sufficient resolution, or in the hope of extricating himself, alters a figure, or signs another's name, and is lost forever. As these men have often told me, the devil would tempt and assist them into, but never out of, trouble. The incident is this: —

On one occasion a lady called at the office to see me. Her object was to ascertain if we had in the prison a young man by the name of B. I told her that we had. She asked if she could be permitted to see him. I inquired if he was a relative or connection of hers. She burst into tears, and replied that she hoped not, but feared he was her son. I sent for him. Never shall I forget the intense anxiety with which she listened for his approach, or the shriek of anguish which burst from her lips as she fell into his arms when he entered the room. He was indeed her son, her only son, and she a widow. He was her only hope in this world, the prop upon which she leaned. She had toiled for him night and day, succeeded in giving him a good education, and obtaining a situation for him in a store in a flourishing town in the interior of the state. For some time everything went smoothly. He secured the confidence of his employers by his strict attention to business and apparent honesty. But, alas! in an evil hour for him, he became acquainted with some young men who had more money than he had, and were fond of spending it. And he,

actuated by that false pride which has been the ruin of so many young men, endeavored, without their means, to keep up with them in their extravagances. The result was, that he became involved in debt, with no prospect of extricating himself. Exposure and loss of character and situation stared him in the face; and, to save himself from the dreaded disgrace, he appropriated to his own use funds belonging to his employers, with the intention, no doubt, of replacing the amount taken. A fearful experiment — a fatal mistake. As well might one attempt to check a conflagration by pouring on oil as to recover position once lost by such means. It was the old story repeated. He succeeded in making his accounts appear correct; the money was not missed, and he was safe for the time. Had he stopped there, all might have been well; but the success of his first attempt was his ruin. He continued to abstract funds in this way for several months, but was at last suspected, detected, and sentenced to the State Prison for three years. All this took place without his mother's knowing it. After he was sentenced, he wrote her that he had been engaged to go out west on business, which would detain him two or three years, and she must not be surprised if she did not hear from him till his return. He had been convicted under an assumed name, and, although his mother was living in Boston, he was in hopes that he might serve out his sentence without being discovered. But rumors that he was in prison had reached her, and she had come to satisfy herself in regard to them. Shall I attempt to describe the anguish of that poor heart-broken mother, or the

agony of the son? I have not the power. Words such as are at my command are inadequate, and I drop the curtain upon the sad scene.

A convict died, in 1864, under the following circumstances: —

An old man, a German, received a visit from a clergyman of Boston, a countryman of his, who, in the course of the interview, inquired of him if he had heard from his son within a few months. He said he had not. He was asked if he would like to hear from him. "Certainly," was his reply. "He has followed your example. He is now in prison in a neighboring state, and for the same crime which sent you here." The old man clasped his hands in agony; he could not speak; but silently and sorrowfully he took leave of his friend, and started to return to the shop in which he worked. He never reached it. He was found sitting upon the steps leading to the room in a fainting condition; was immediately conveyed to the hospital, and every effort made to restore him to consciousness, but in vain. In less than fifteen minutes he was dead. He could endure his own imprisonment and suffering without a murmur, but his son's disgrace he could not bear; parental love was too strong within him. The old man's heart was broken. The lack of discretion and real kindness on the part of the clergyman needs no comment.

Excessive joy is sometimes quite as dangerous as excessive grief. A young man, who was serving a long sentence for burglary, whose health was failing,

was, by the intercession of the authorities of the prison, pardoned. The trouble and shame he had brought upon his parents by his misconduct had weighed heavily upon him; and now that he was once more a free man, his heart seemed filled with joy at the thought of his mother, and the anticipated happiness of their meeting. He was too agitated to express his gratitude, or give utterance to his feelings. Taking my hand at parting, he said, "Mr. Warden, though *I* may neglect it, I am sure my *mother* will ever pray for you for this act." He started for Boston, where his parents resided; met his father in the street, who accompanied him home. On reaching the house, he caught up in his arms a little sister who was playing at the door, rushed with her up stairs, exclaiming, as he fell into her arms, "Mother, I have been pardoned!" They were the last words he ever uttered. Following the exclamation was a torrent of blood, occasioned, doubtless, by the excitement. A blood-vessel had been ruptured, and in a few minutes he expired.

The following anecdotes, connected with this year's experience, are very good illustrations of the old adage of "jumping out of the frying-pan into the fire," or not content to "let well enough alone." A man was received in 1864, who was arraigned in the Police Court for attempting to pick a lady's pocket in a horse car; he was convicted and sentenced by the judge to four months imprisonment in the House of Correction, from which he appealed, and the case was carried up to the Superior Court. He was again con-

victed, and, this time, sentenced to the State Prison for *four years*, instead of four months in the House of Correction. On conveying him from the jail to the prison, he gave me to understand that, in future, he thought he should be content to take matters as they came, without attempting to improve them.

Another similar case occurred here, where a man was convicted in the Police Court for an assault upon a boy, and sentenced to six months in the House of Correction; he appealed to the Superior Court, and was there convicted of an assault with intent to kill, and sentenced to the State Prison for *seven years*.

In both of the above cases, the parties served the full term for which they were sentenced.

At the time of writing this paragraph, a man was committed to the prison under the following circumstances: He had been convicted of horse-stealing, and asked for a postponement of sentence, that he might show his previous good character, claiming that it was the first time he had been in prison, or arrested: the district attorney acquiesced in the postponement, intimating that *he* would like to make some inquiries upon the same point. Suddenly the man withdrew his request, and expressed a willingness to receive his sentence at once. This sudden change led the judge to suspect that he had not told the truth, and sentence was postponed. The next day I was summoned in the case, and, as I sat in the court-room, he was brought in: the judge again inquired if he had anything to say: he arose, and, after casting fugitive glances at me, admitted that he had been in the State Prison, but hoped his honor would be as lenient as possible.

Perhaps he received a much longer sentence than he would if he had let the matter take the usual course.

On the 17th of July, 1860, Charles H. Brightmore, *alias* "Spunky," was committed to the prison for the third time, on a sentence of seven years, for "breaking and entering." Brightmore, although but twenty-four years old, had become notorious as a thief and robber: he was suspected of committing crimes which, could they have been proved, would have consigned him to the gallows. Perhaps no convict ever gave the authorities of the prison more trouble than he did during his first two terms. The third was prefaced by the following incident: I received the warrant for his committal on a Saturday afternoon, as I was stepping into my chaise to go out of town. At this time a convict's term did not commence till received at the prison. Desirous of saving him two days, as he was in the jail at East Cambridge, I immediately drove over for him. On returning, he made an unsuccessful attempt to escape, an account of which, copied from a daily paper, is given below.

"*Spunky again sentenced. Daring Attempt to escape.* — That notorious villain, Charles W. Brightmore, *alias* 'Spunky,' must certainly be uncomfortable outside of prison walls, so reckless is he in the perpetration of crime. Most of his career, though a young man, has been spent either at Charlestown or South Boston; and, after but a brief vacation, he has returned to the prison in the former place, receiving this time a seven years' lease of his old apartments. The offence upon which he received this sentence was 'breaking and entering.' But, like all of his

desperate class, Spunky was determined to 'die game,' or, in other words, make his transportation to the prison no easy task to the officer detailed for the duty. The particulars of a most daring attempt to escape made by him are as follows: On Saturday afternoon, the warden of the State Prison, Hon. Gideon Haynes, was conveying his prisoner from Cambridge Jail to Charlestown in a chaise, when the latter, on crossing the Eastern Railroad, near Prison Point, jumped from the vehicle, and ran, with the greatest speed his manacled wrists would permit, down the track towards Boston. The warden followed, leaving his horse to take care of himself, and, being an exceedingly active gentleman, — not having been sufficiently long in office to boast of corpulency, — the most exciting trial of speed followed. The warden, however, was the favorite at the start, and his popularity increased as the race progressed with odds of ten to one. The convict often made bad breaks, owing to a stiffness and want of freedom in his fore joints, and the gap would soon have been closed, had he not, in crossing the draw, — the rail being laid upon a single timber, — turned to look at his pursuer, made a false step, and fallen into the water; fortunately for him, striking his irons against the rail, and unlocking them, enabling him to use his hands. The head of the fugitive soon appeared above the surface, his mouth emitting a substantial stream of salt water; and, seizing one of the piers, he glanced up to his pursuer, exclaiming, at sight of a revolver in the hand of the warden, 'Don't shoot me, and I'll come out!

While Spunky clung to the pier, a boat-hook was brought, and he was fished up and secured. When at the prison, Brightmore said that this was his last and only chance for liberty, and inquired who the officer was that had him in charge: when told that it was the warden, 'O,' said he, 'it was the warden — was it? Well, all I can say is, that he can run like the d—l!' With the incarceration of this fellow the community is secure from the depredations of one of the vilest rascals that ever infested society, for Brightmore is one who does not hesitate at any deed for the perpetration and concealment of crime."

At my first interview with Brightmore, after his committal to the prison, he was anxious to know where he was to work. I told him the shop I proposed to place him in: he immediately replied that he would not work in that shop, but would work in one which he named. In a matter of that kind, I said, his wishes could not be consulted; if he worked in any, it must be in the one I had selected; that, in fact, I really had no desire to put him into any shop, unless his conduct was to be better than I had understood it to have been on former occasions; that the money received for his labor did not compensate for the trouble he caused the authorities. He persistently refused to work except where he had selected, and was consequently consigned to a room in the upper arch of the old prison, there to await future events.

He had on one occasion, during a previous sentence, obtained a knife, and forcing the officer, by threats of violence, into a corner of the shop, compelled him to apologize to him for alleged ill treatment. By acts of

this kind, he had become notorious in the prison, and prided himself upon the name he had acquired.

Days and weeks passed by with no signs of relenting on his part. I saw him occasionally, and he was evidently becoming anxious to compromise; he wanted to know, if he should go to work as I desired, if I would finally yield to his wishes. My reply was that, when he went to work, it must be without any conditions or promises on my part. He held out about three months, then sent for me, and said that he was ready to go to work when and where I pleased. I then said to him, that, before going to work, it was necessary that we should understand each other; that he had evidently been considered of too much consequence heretofore, and allowed to have his own way through fear of him; but that now he would receive the same treatment as the other convicts; the rules would be enforced in his as in all other cases; that I had no more fear of him, and thought him of no more importance than the humblest individual in the prison, and if he ever showed, or attempted, any violence towards me, that I should serve him as I would a mad dog that crossed my path, and my instructions to the officers would be to the same effect. With this understanding he commenced work.

He had been convicted on a charge of passing counterfeit money, as well as "breaking and entering;" but the former had been carried up to the Supreme Court on exceptions, which were overruled, and a few weeks later I took him to Cambridge to receive sentence thereon. Driving over, he was very much depressed, for with his reputation he had rea-

son to expect a severe sentence. Before entering the court-house, he looked into my face, and said, "Mr. Warden, I suppose it is useless for me to ask you to speak a word for me." "I don't know," I replied; "if I did, might I not have reason to regret it?" "No!" was his answer. He was called up for sentence. On turning towards him, I found his eyes fixed most imploringly upon me: at that moment, I asked permission of the court to say a word. After stating his case to the judge, I remarked that I was not without hope that he might be made a better man; but in my opinion an additional sentence at that time would not accomplish it, and if it could consistently be done, I would ask that the case might be placed on file. To this the district attorney not objecting, the judge readily consented, and we immediately left the court-room. On getting into the carriage I found he was crying like a child; a moment later he turned to me, and said, "Mr. Warden, I have been a thief from my earliest recollection. I have been arrested over twenty times, frequently on charges that I was not guilty of, and to-day is the first time that a kind word was ever spoken for me; you shall not have occasion to regret it." I never did. He behaved and worked well. Before his sentence expired his mind began to fail him. On leaving the prison he entered the army, serving faithfully, so far as I know. On his discharge he returned to Boston, got into trouble, and was sent to the House of Correction at South Boston. He occasionally has called to see me; but when last here he was but a wreck of his former self: imprisonment had done its work.

From the many hymns written by convicts on special occasions, the following are selected: —

HYMN FOR THANKSGIVING DAY, 1859.

COME, let us join, with heart and voice,
  To celebrate this day,
And, with the thousands who rejoice,
  Our grateful tribute pay.

For all the blessings of Thy love,
  For mercies vast and free,
From grateful hearts our grateful thanks
  Ascend, O Lord, to Thee.

Though here confined, and may not rove,
  Our spirits, Lord, are free, —
May mount on wings of faith and love,
  And converse hold with Thee.

Look down from heaven, with pitying eye,
  On all Thy children here,
And send Thy Spirit from on high,
  Each waiting soul to cheer.

For all the sorrowing and distressed
  Ascend our fervent prayers;
O, wilt Thou soothe each wounded breast
  And dry the mourner's tears.

For all the loved and absent ones
  Our thoughts arise in prayer;
O, be Thou still their Father, Friend, —
  Make them Thy constant care.

Through all the changing scenes of life,
  Protected by Thy power,
Still will we trust Thy goodness, Lord,
  And gratefully adore.

Hymn for Thanksgiving Day, 1860.

"Thou crownest the year with thy goodness." — Ps. lxv: 11.

Almighty God, Thy boundless love
  With blessings crowns the year;
The varying seasons speak Thy praise,
  Thy goodness, and Thy care!

The Winter, Summer, Autumn, Spring,
  Roll round and ne'er stand still,
While each fulfils Thy wise decree,
  Performs Thy sovereign will.

God of the Seasons, in Thy name
  We come before Thee here
To sing Thy praise, to breathe our prayers,
  To worship in Thy fear.

Thy mercy and Thy goodness, Lord,
  Have blessed our favored land;
The bounteous harvest Thou hast given
  Our warmest thanks demand.

Broad, smiling fields of golden grain,
  Rich Autumn's fruitful stores,
Reward the laboring husbandman
  For all his toils and cares.

On this glad day of praise and prayer,
  Let every creature join
To bless the great Jehovah's name,
  Whose favors are divine.

Accept, O Lord, our prayers and praise;
  Our numerous sins forgive;
Guide us through life; in death's dark hour
  Our ransomed souls receive.

In 1861 a young Frenchman was committed to the prison, on a sentence of fifteen years, for robbery; his youth, quiet demeanor, and gentle disposition attracted my attention, and led me to make some inquiries into his history, and the circumstances attending the commission of the crime for which he was suffering. He was a mere boy, quite effeminate, and his general appearance such as to assure one, upon the first glance, that there must be some mistake in regard to the affair.

It is unnecessary to enter into particulars; but I became satisfied, after a careful investigation of the case, that a great wrong had been done him; that a foolish joke played upon a comrade while both were under the influence of liquor, was construed into a great crime; and he, without a friend, penniless and ignorant of our ways and language, was easily convicted and sentenced as above.

Governor Andrew having granted me permission to name one convict to be pardoned on Christmas day of this year, I selected this boy. I have never witnessed a military execution, but have heard such scenes described; and when his name was announced in the chapel, so unexpected was it, that the effect upon him was not unlike being shot: a sudden spasmodic leap, and he sank into his seat as lifeless, apparently, as though a bullet had pierced his heart.

I could not describe his attempt to express his gratitude; it was the genuine outpouring of a grateful heart, and given, as it was, in his broken English, it drew tears from all who witnessed it.

The following is a copy of a letter addressed to a

gentleman who was an officer in the court when he was tried, who became interested in the boy, visiting him occasionally, till the war broke out, when he resigned and entered the army. It is the history of the young man so artlessly expressed that I cannot forbear giving it in full.

"Mr. J.: You have shew me so much kindness since my misfortune, that I don't know to thank you. I have no word: I am not acquaint much with your language. My pen may be cold, but think, dear sir, all what a grateful heart can says. I was a stranger to you; yet you have helped me same if you had known me for years. I never can forget the many service you have rendered me. I was sorry that I was so poor. I fear to have given you so much trouble. If God spare my health, be sure, sir, I will do all things for to prove my gratitude.

"Pray don't mind if I have always meet you with tears in this prison: you know some people weep more easy than others; but for me, I can't help it, partly for joy to see you, and partly for unhappiness for being here; and the tears you have seen me shed are not the only bitter one I have shed since I was in this place.

"I feel very unhappy. O, I am so homesick! Home is my dream day and night. No more than fourteen months I have been here. O, how very long they have been! Of all the men here, I don't think they find the time so long as I do. They have their father and mother, and brother and sister, to come see them — me none. I am dead for all. O God, how hard is my life!

"Mr. J., I did not come to this country like a vagabond: you have seen my papers. I can go back to France anywhere, and be received with pleasure. I was young, and want to see America. I come to stay no more than three years, and then go back and make a position in the world. Fool I have been! I have lost all, — honor, name, reputation, — *all lost!* yes, all! and why? — drink; yes, drink! If I had not been drunken, I had not been here: I should be happy now near my dear father and mother. O, they was always so fond of me! done so much for me! so good, so kind! See, Mr. J., what I give them for return for so many things! I lost all, and bring shame upon my old father and mother. Am I not most wicked and ungrateful? Yes, I am the slayer of their peace. May God never let them know I am here! It would be the death of my poor mother.

"I came to this country with a friend. He was always sober and like a man. He is now dead. Had he been living, I had not been here now. All the time I was with him he was my friend and guardian.

"I now fear I have lost you. I don't hear any more from you. I feel all alone. Do please write me a little letter, if it be so short. It will be a great pleasure for me. A day does not pass away without I remember you.

"A. D.

"Dec'r 28, 1862."

The following letter from a convict to his wife needs no comment: —

"March 17, 1861.

"My dear, dear Wife: I received George's letter this morning, and it has so unmanned me that I know not what to say. Is there no bottom to this bitter cup? Can there be no end to our trouble but in the grave? The last letter I received from you was so cheerful, so full of hope and love, that it made my heart glad, and I rejoiced with you and for you; and now comes the anguish of despair. I have been bleeding from the lungs every day for the last three days; and should this continue, this is the last letter I shall ever write — the last from me that you will ever receive. So do our sorrows mingle in one stream, flowing to the end. But, my dearest wife, we have one comfort left, worth all the rest that earth can give — the light, and life, and love of the blessed Savior. Nor sickness, nor poverty, nor pain, nor death can rob us of that. O, in this dark and sad hour, let us draw closer to his side, and his smile shall chase all the clouds away. He passed through the garden of Gethsemane, his great soul exceeding sorrowful even unto death; and O, my love, remember his prayer in that gloomy hour — 'O my Father, if this cup may not pass away from me except I drink it, thy will be done.' Love, give me thy dear hand in this *our* sad Gethsemane: let that prayer now be ours — 'O our Father, if this cup may not pass away from us except we drink it, thy will be done.' My soul has grown stronger since I commenced writing, and I feel that I am writing in a presence mightier than any earthly sorrow. Cheer up, my own dear wife! We have but one more dark stream to cross,

and we shall enter the land of promise — the city of the living God. Then, O, the glory, the happiness ineffable, that shall be ours, wandering all day, side by side, along the flower-crowned banks of the river of life, — no more sorrow, no more anxious hours, no more pain, no more separation forever. Think, then, as little as possible of the sorrow of the present; but, by constant prayer, live in the cheering smile of God, and patiently wait the fulfilling of all his purposes, and all shall be well. . . . Shall write to-day to Guilford White, &c.

"Should this bleeding be stopped, I may live some time; but if not, I must die before long. . . . But do not be frightened or discouraged. Trust in God, and remember it is always darkest just before day. . . . And, George, too, my dear child, is it possible I shall never see thy smiling face again, never feel thy little arms around my neck, or thy kisses upon my cheek! Your letters have been a source of great consolation to me. I never cease to think of you, and daily pray to God to take care of you and keep you safe from all harm. My dear son, you are now your mother's only stay, and you must be to her, in this her great sorrow, all that I would be were I with you, and all that a dutiful, considerate, and loving son can be to the noblest mother that ever boy had. Make your 'good nights' long and tender to her, for the time will come when you will have no mother to say 'good night' to. Cheer her up when she is sad, with your own soft hand wipe away her tears, and bear her crushed spirit up against the bitter trials she has to endure. Perhaps the time will come when we shall all be

together again; and if so, O, how happy we shall be! If this is not to be, strive always to be a good boy, and remember you can do this only with the help of your heavenly Father. Give your young heart to him, and pray to him constantly for guidance, and he will lead you and all of us safe to his home: *there* we shall all meet again. Write me as often as you can, and when I am permitted I will answer your letters with a good long one. Always remember, my child, that 'a good name is rather to be chosen than great riches.' I send you lots of kisses and all the love of a fond father's heart.

"And now, my dear, dear wife, I must bring this letter to a close. God only knows whether I shall live to write another; but we will trust in him, whatsoever may befall us, knowing that he doeth all things well. Do not let a day pass but that I shall know where to find you. Should I live, and justice is not utterly gone from the earth, I hope soon to be able to assist you, and even to be with you once more. My whole heart is with you, and will be till I die. May some kind angel minister to your wants, bind up your bleeding heart, restore your health, and bring us once more together! One good long kiss from your affectionate husband!"

A young man, who was discharged in 1861, was very anxious to join one of the companies of a battalion then about to leave Boston for the seat of war. He applied, and was accepted. He thought, however, that he ought not to go without letting the commander know that he had been in prison, and

accordingly informed him of the fact. At this period the authorities were not obliged, as was the case later in the war, to take up with any one who might present himself, but could choose from the first young men in the state. He was informed that, if he could get a letter of recommendation from the warden, he would be allowed to go. The letter was obtained, and the matter settled. He left with the battalion.

A few weeks later the attack was made upon "Big Bethel." Our forces, it will be remembered, were repulsed, and a very promising young officer — Lieutenant Greble, of the regular army — was instantly killed while sighting a gun; the men were obliged to abandon the piece and withdraw; three soldiers volunteered to return, and, if possible, to bring off the gun — an act which they successfully performed, and with it the body of Lieutenant Greble; and, although subjected to the concentrated fire of the whole rebel line, neither of them was hit. This young man was one of the three. He reënlisted, and, in an assault upon the enemy's works before Richmond, under General McClellan, while pressing forward, carrying the regimental colors, fell mortally wounded; and, with a host of other heroes, he rests in an unknown grave in the swamps of the Chickahominy.

A few years ago the community was startled by the announcement of a dreadful murder committed in one of the towns in the state. A man had been stopped upon the highway, robbed, and murdered. A young man, then scarcely seventeen years old, was arrested for the murder — his own father giving the informa-

tion which led to his arrest. He was tried, convicted, and sentenced to be hanged. At this point some good people began to inquire into his history: it was found that the unfortunate youth was terribly ignorant. He could neither read nor write; had never seen the inside of a school-room or church in his life; never heard the name of God, only as it fell from his own or associates' lips in the form of oaths; born of drunken parents, he soon acquired their habits; in short, at seventeen he was an ignorant, lazy, drunken vagabond, apparently without one redeeming trait in his character. He had become acquainted with and married a young woman quite as worthless as himself, and, in order to obtain means to gratify her vanity, which was great, he took his gun, and stationed himself in a wood by the roadside, with the intention of robbing the first person that passed. He had been there but a short time when he heard the sound of an approaching wagon, and discovered a man driving alone; he stepped into the road, and ordered him to stop; he did so; he then demanded his money; the man hesitated, and he shot him, but not mortally. He begged of him to spare his life; but he knew not the meaning of pity, but deliberately beat him to death with the butt of his gun. Such was the history of this young man, and the crime for which the judge had to pronounce the awful sentence of death.

Now the question arose as to who was the most responsible for this murder — the young man, his parents, the community in which he lived, the authorities that allowed such ignorance to grow up in their midst (this was no isolated case in that locality), with-

out taking some steps to eradicate it. Governor Andrew became exceedingly interested in the case, and, with that keen sense of right and justice for which he was noted, condemned the community, and saved the boy's life. His sentence was commuted to imprisonment for life in the State Prison.

I have given a description of this young man's condition at the time he committed the great crime for which he was convicted; let me present him as he appears to-day.

Enter one of the workshops at the prison, and you will observe a young man busily employed, whose general appearance will be certain to attract your attention. In height about five and a half feet, of good figure, a well-balanced head covered with light-brown hair, a high and finely-developed forehead, light hazel eyes, unusually mild in appearance, a good mouth, with a smile so sweet, sad, and innocent in its expression, as to cause you to wonder what crime he could commit that would send him to the State Prison. Enter into conversation with him, and you will be still more surprised at his soft, musical voice, the child-like simplicity with which he expresses himself, the good language he uses, and the absence of every expression not in keeping with an intelligent and pure-minded young man.

What has wrought this great change? Ask those philanthropic and Christian ladies and gentlemen who visited, encouraged, instructed him in jail, and finally, by their influence, saved him from the gallows. Thank God, we have a few of this same class in this vicinity — ladies of fortune and refinement, angels of mercy,

who deem it a privilege to visit, advise, and instruct such waifs of society as was this poor boy. Would there were more of them! The field for their operation is an extensive one, and their reward a crown of immortal glory. "For inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me."

The following incident was related to me by a man discharged from the prison this year (1861), verifying the saying that "truth is stranger than fiction:"—

Some years ago, a gentleman, his wife, and only child, a boy then five or six years old, visited the institution. They were shown through the workshops and prison by an officer, who pointed out the different objects of interest as they passed along. The gentleman was inquiring about a man who had recently been sent to the prison for life for murder. "By the way, this is his room," said the officer, stopping before one of the cells, the door of which stood open. The little boy, with a child's curiosity, stepped up and looked in: his father came up behind, and playfully pushed him in, and closed the door. The little fellow shrieked to be let out; the door was immediately opened, and he ran, sobbing, into his mother's arms; and she, brushing back the light curls from his forehead, and kissing him, said, soothingly, "No, no; they shan't shut up my little son in prison." The boy was terribly frightened; he turned his eyes once more towards the dreaded cell, and for the first time noticed on the door, in large yellow figures, the "No —." The incident made a deep impression

upon his mind. Time passed on; he grew to manhood: his father and mother were both dead, and he left alone. He became a sailor, and a good one, rising step by step, till he was second in command of one of the California steamers sailing from New York. But, alas! in consequence of that vice which has dragged down so many even from high positions, he lost his situation, came back to Boston, sank lower and lower, and was finally arrested for breaking into a store, and sentenced to the State Prison for four years. When received at the prison, he was taken to the bath-room (the usual custom), bathed, shaved, hair cut, clothed in the prison dress, and then conducted to the room he was to occupy. Judge of the horror and consternation of this young man, when he found himself standing before, and the officer unlocking the door of, the same cell, "No. —," into which he, when a child, had been thrust, for a moment, by his father. In relating the story to me, he said no one could imagine his feelings, when he found himself an inmate of that cell; every incident and scene from childhood rushed upon his mind; the exclamation of his mother, "No, no; they shan't shut up my little son in prison," rang in his ears; he threw himself upon the stool, and wept like a child. Gradually he became more calm, and began to realize his situation. Reflection brought with it better thoughts and brighter hopes: instinctively he sank upon his knees, and, in silence, breathed a fervent prayer to God for strength to sustain him in his great affliction. It is a consolation to feel that neither bolts, bars, nor stone walls can prevent a supplication from reaching his ear,

though uttered in a whisper, and coming from a State Prison convict. He rose from his knees with new life and brighter hopes, and with a determination to redeem his lost character. He served out his sentence, and, on his discharge, with the assistance of the late Governor Andrew, who had become greatly interested in him, I obtained a situation on board of one of our frigates, then about to sail from this port. A few months later I received the following note from him: —

"PALERMO, August 7, 1863.
On board U. S. S. C——.

"MR. GIDEON HAYNES.

"Honored Sir: I deem it my duty to drop you a line. I should have written you long ago, but I thought it might be best to delay it until I had been long enough in the service to know whether I liked it or not. It was rather hard at first — at least it seemed so to me; but now I can say I am perfectly satisfied, and was never more at home in a ship than I am in the good ship C. I have the good will of all the officers, and especially the captain. I am cockswain of his boat, and he tells me that he will get me an appointment as boatswain in the service on my return: this will be a good provision for me for life. We have had a splendid cruise of it so far, having visited Lisbon, Cadiz, Gibraltar, Genoa, Leghorn, Naples, and this port. We sail to-morrow for Smyrna, and shall return to Genoa next fall, to winter. Please give my respects to all the officers; and will you have the kindness to remember me to one of your men, William McN.? He bears a hard name, I know; but

he was always kind and obliging to me, and it is difficult for me to forget a kindness in any one. . . . I shall be pleased to have a line from you at any time.

"I remain your sincere friend and well-wisher,

"E. K. G."

A few years passed, and one day a gentleman was shown into my office, who wished to see me. As I arose when he entered, I was warmly greeted by one whose countenance I did not recollect as ever having seen before, but who was a fine specimen of manly beauty. The mention of his name was sufficient—it was G.; and I had the satisfaction of hearing from his own lips how he had risen, step by step, till he had obtained a position far above any he had aspired to in early life, and, above all, to learn that his resolution in regard to strong drink had been faithfully kept. To the use of that alone he owed his fall. It was pleasing to know that by refraining from it he had prospered so wonderfully.

The death of a convict is a solemn scene under any circumstances. How sad to die in prison, away from one's friends and kindred! for the best and kindest treatment possible for us to give must fall far short of the gentle care of a mother, wife, or sister: to leave this world surrounded only by officials, who must, to a certain extent, become familiarized to such scenes—to feel death approaching, to know that the close of an ill-spent life is near at hand, and no sympathy but from the stranger, no loved one to receive the last word, or close the dying eye—is sad indeed. Thus do

many pass away, unwept and almost uncared for; before the grass starts upon their graves they are forgotten, and are to us as though they had never been.

I recollect sitting by the bedside of a young man who died in the prison some years later, listening to his last words. He had no friends to visit him; they were all in England. He, it seemed, had run away from a good home, come to this country, got into bad company, and was sent to prison for crime. And now he lay upon his death-bed, with the knowledge that he had but a few hours to live. What thoughts of home and loved ones crowded upon his mind! He had never written nor heard from home; and when I inquired his real name (for he was here under an assumed one), that I might inform his father of his fate, he shook his head, and replied, "My greatest consolation at this moment is, that my friends will never know my sad end; for O," said he, — and a tear stood in his mild blue eye, — "it would break my poor mother's heart to know that her son died in prison."

He passed away, and was laid in a convict's grave, with no stone to mark the spot: the white mantle in winter, the tall green grass in summer, wave over the hillock that covers his ashes. But that poor mother, if alive, perhaps has not yet given up all hope of seeing her dear son; but with every passing year that hope becomes less. And when she, too, shall pass away, doubtless the last name upon her lips will be his, her last prayer for him; for such is a mother's never-failing love. Let all others detest and desert you, sink as low as you may, there is one on whom you may rely — one heart that will not be estranged,

will not be alienated; for it is bound by ties stronger than hoops of brass or bands of steel.

Prominent among the incidents that have marked the years of my connection with the prison is that of a convict whose literary productions evinced talent of a high order. In my possession are many articles from his pen, and their character warrants a selection from them for these pages. His story is simply this: —

He succeeded in obtaining fifteen thousand dollars from the banks on State Street upon altered checks. The ingenious way and manner in which he proceeded to lay his plans and carry them into execution, working for months to perfect them, showed that he possessed perseverance and great shrewdness.

Associated with him was a woman who passed as his wife, but who did not appear publicly till after he was convicted and sentenced. I found her at the jail when I went for him. Her story was, that she belonged in Chicago; that she only heard of his arrest a few days before, and arrived in Boston that morning, and was to return immediately. She begged for one short interview with him before she left. Her request was granted, and the next day she called at the prison. Before the interview closed I was convinced, not only in regard to their relationship, but that the points with which they were not fully familiar were of no particular value to persons in their profession; that, between the two, I had a smart couple to deal with. She asked permission to leave him a few apples, which was granted. After she retired, I thought it would do no harm to examine the fruit. In one of

the apples I found a gold dollar (it was before the war); in another, a small penknife. The latter he could have had by asking for it, but she was not aware of that fact. The first letter he wrote her was very ingenious. It was written upon common letter paper, very fine, and curiously underscored and marked up. The first glance satisfied me that there was more in it than was intended for my eye. I was not long in finding the thread which enabled me to unravel it. By reading every other line of a part of it, the whole meaning of the letter was changed; then, by putting together letters, words, and sentences, which were dotted and underscored, another complete document appeared, and a most interesting one, too, for it developed a plan for his release, giving her minute instructions how she was to proceed, what influence she was to use, and how to obtain it, and an arrangement for their future correspondence through magazines, which she was to send him, dotted in the same way as his letter. I copied these letters, and then sent her the originals. For upwards of a year this correspondence was carried on, copies being retained, and the originals sent to the parties.

The plan was for her to come to Boston disguised as a young man, obtain an interview with Governor Andrew, and, if she could gain the proper assurances, represent that she was the party who altered and passed the checks. She was perfectly acquainted with what took place at the time they were passed — what was said and done. She was also to take with her certain acids, and was carefully instructed how to use them before the governor, to show him in what

manner she removed the ink from the body of the check. She was on the point of leaving Chicago when an event occurred which caused a premature explosion of the whole affair.

By a remark in one of her notes, I found that they had opened a correspondence by way of the "underground railroad," and that communications were passing between them which did not come under my observation. The remark was, that "she had heard from him through A. B. C." The question now arose, Who is A. B. C.? They were the initials of no one connected with the prison, and yet it must be some one who had access to the institution and to him. My first move was to visit the post-office, and look over the different lists of letters, which are usually posted up for the convenience of the public. In several places was the name of A. B. Cedar, which was not to be found in the Directory. Satisfied that I was on the right track, I prepared a letter, purporting to come from Chicago, with the proper stamps and post-marks upon it, directed to A. B. Cedar, enclosing one for the convict, with an understanding with the postmaster that whoever called for it should be carefully observed, and notice immediately sent to me.

The next evening I was informed that the letter had been taken out; and from the description given me, I at once recognized the person. Early the next morning I sent for our hero, and had an explanation. He was informed of what I knew and what I had done; that the letter had been taken out of the office, and would probably be delivered to him in the course of the day, and that it must be passed to me directly

upon his receiving it. As I anticipated, it reached me before night, and was all right, except in one particular. It contained five dollars when posted, three of which the "mail carrier" had taken for his trouble — the usual percentage, I believe, for such services. He was employed by one of the contractors as a teamster, and allowed to pass in and out of the yard at his pleasure. As he had been excused once for a similar offence, I felt it my duty to make an example of him. He was accordingly arrested in the course of the day, bound over in five hundred dollars, which he forfeited, disappeared, and I have not seen him since.

His plans in this direction having so signally failed, he quietly settled down, and turned his attention to various other matters, but mainly of a literary character.

He had two daughters, aged ten and twelve years. The older of the two was a remarkable child. She corresponded with her father, and her letters were among the sweetest contributions it has ever been my privilege to read. I cannot forbear giving the following letter from her, addressed, through me, to Governor Andrew: —

"PR———, September 23, 1865.

"To His Excellency Governor Andrew.

"Dear Sir: I improve the present time in writing you a few lines. I have, for some time past, contemplated writing to you; but as I am only a little girl of twelve years, it seemed to me a great undertaking for me to write to so great a man as a governor.

But, as I hear you are a kind, good Christian gentleman, I will venture.

"What I wish to say to you is this: My poor, dear father is confined in Charlestown State Prison. He has been there nearly four years. My mother, my little sister Alice, my father's brother, and myself came to Boston last April to see you in relation to my father. We brought with us a petition, signed by the mayor and all the principal officials of ——, his former place of residence, and where I now live. You were absent; had gone to Washington to attend the funeral of our late lamented president. I was very sorry, for I wished to see you much, and talk with you concerning my dear father.

"O, Governor Andrew, could you but look into the recesses of my heart, could you but know the pain and misery I have suffered in these four years, I know you would feel for me. *Father* — that name which ought to be endearing — calls up untold misery, for with it comes fresh in memory his situation. This is the one dark spot which mars my happiness, which clouds my young life. It seems that death would have been far more preferable.

"My father has corresponded with me for some time past, and such good advice he writes to me! It does not seem possible that he is as bad as he was believed to be. He was always a dear father to me, and I should now know how to appreciate him if he could be restored to me. And O, Governor Andrew, this is in your power. Then I come to you with pleading, that you may restore him to me, my own dear father, and make one heart, at least, happy; and my little sister would be overjoyed.

"If you would pardon my father, I would pray to my heavenly Father for your prosperity and welfare; and believe me, you would have my grateful and heartfelt thanks. I would remember you to the last day of my life as a friend to the friendless. I do not know as I can say more in words. I cannot express the feelings of my heart in words.

"Hoping these few lines will meet with your approval,

"I am yours, with respect, ELLA ——."

This man was not pardoned at this time, but was about two years later, being then in the last stages of consumption.

From the many articles in my possession, written by this talented convict, the following selection is made, as giving a fair specimen of his ability and the course of thought in which he indulged. The first is a description of a scene at the prison on a Thanksgiving Day.

"Let us enter the gates of a prison in Charlestown, Massachusetts — a prison for those who have been condemned to servitude or hard labor. It is Thanksgiving Day — a day in which each family throughout the land gathers in a domestic circle around a bounteously spread table, to remember with thanks and gratitude the Giver of every good gift. What the festival of the Passover was in the land of Israel, Thanksgiving Day is in New England — a day to remember the mercies of God.

"The massive gates that close upon us, as we enter the walls of the prison, have by no means closed the

mercies of the day without; for each one of the four or five hundred convicts has a good Thanksgiving dinner. Although the meal is partaken of alone and in silence, within a narrow cell, where the happy and cheering voices of friends, kindred, or children never reach their ears, yet even they have reason to thank God that the prison is so good a one; and they have cause to thank God that it is not written over the entrance door, 'He who enters within these walls never returns.'

"We repair to the chapel in season to see all the inmates enter in file, old men and young boys, black and white together, all clothed in their party-colored garments, and with automaton-like regularity take their allotted seats. Surely a strange-looking audience to worship God in a prison with barred windows, and under a vigilant guard of officers! It is a cheering consolation to know that a penitent prayer speeds as direct to his ear from the depths of a prison as from the carpeted closet of a palace.

"In one direction sits an old man whose silvered head and furrowed brow proclaim him near seventy years of age. Twenty years ago (1843) he entered these walls condemned to servitude, hard labor, for life. In another direction sits one who has passed sixteen years within the frowning walls of this prison. For sixteen years he has not even beheld the stars of heaven. The tints of splendor that gem the morning and the evening sky have all passed unseen by his eyes — a prisoner for life! In like manner we might go over the whole number. A sad history, a life's bitter history, lies locked within the heart of each one

before us. In charity let us draw the veil over the past, and hope for the future.

"The countenances of all tell us plainly that this is an unusual day. It is truly a day looked for, each year, with the liveliest of anticipations; for it brings with it a happy message to some one among them. All eyes are intently fixed upon the parchment-roll in the hands of the warden. It is a pardon; a passport to liberty and happiness; a gift to some one among them, the value of which is beyond computation. Sweet remembrances of liberty make each heart beat like the strokes of a hammer, in the hopeful prayer that his name is written there. The giant Despair has abdicated, and Hope, little monarch over the realms of future happiness, wields the fairy sceptre. Heavy bolt, dungeon, and midnight blackness are for the moment forgotten. A wild and almost irrepressible yearning comes to each, to rush into the outer world, and once more quaff the vital atmosphere of freedom.

"The warden comes forward, and says substantially as follows: —

"'It is customary here, as you are aware, to characterize this day by the bestowment of a pardon upon one of your number, and to make it a lasting day of thanksgiving to the one selected. Each one of you, doubtless, thinks your own case merits attention, but I have a pardon for only one of you. Twenty years ago, one of your number, in a state of intoxication, committed a crime, and was sentenced to this prison for life. During these twenty years he has not placed his foot outside of these walls; neither has he, during

that time, been reported for any misconduct whatever. In his sober moments he regretted committing the deed, and has never ceased to regret it from that day to this. He is now an old man, and I have pronounced in his favor for a pardon. His name is ——. He is a free man, and will find a son, who has grown up to manhood, waiting but a few steps from this place, to welcome his father with outstretched arms, and take him to a happier home than a prison.'

"It needed no finger to point him out; for all eyes were turned in one direction, and every heart rejoiced that the old man had been pardoned. Such is a custom that has come down to us from the time of our Saviour."

The following selections are taken from a little volume written by him with a pen, and bound by him in his cell, and entitled

"RANDOM LEAVES FROM MY DIARY.

"INDEPENDENCE DAY, July 4, 1863.

"O, but man, proud man,
Dressed in a little brief authority,
Most ignorant of what he's most assured, —
His glassy essence, — like an angry ape,
Plays such fantastic tricks before high heaven,
As make the angels weep."

SHAKESPEARE.

"Those lines came into my mind to-day, while reflecting upon the striking difference between this age and that of the Roman emperors. Reliable historians tell us of those who sat upon the throne of the Cæsars,

who frequently caused their condemned criminals to be cast to the wild beasts — not as a punishment or penalty, but for an hour's amusement in beholding the starved lions spring upon the defenceless prisoner, tear him in pieces, and devour his body before their eyes.

"Whether or no the immortal poet had those scenes in view when he penned the above lines, we will not attempt to decide — at all events, they are applicable enough. A different scene from any of these was presented to the spectator who looked into this prison to-day.

"Between four and five hundred condemned prisoners were together, chatting, singing, and dancing as merrily as troubadours — an hour of unrestrained liberty, within the walls, was given them, when the low whisper could be changed to a hearty laugh and a loud huzza — officers and visitors engaged with prisoners in unreserved conversation. Then came a dinner fit for a cardinal's table.

"True, this is a holiday scene — a picture for one day only; but there are several holidays each year, and the remaining part of the time is not so very dark and gloomy when compared with what prisons once were.

"We have hard and thankless labor to perform, of course, and it would not be a punishment if there was not something severe about it; but let us look at the bright side of the picture to-day, and glance at the silver lining of the cloud.

"For good and meritorious conduct, each prisoner has a certain number of days deducted, each month,

from his term of imprisonment; thus, for a sentence of twenty years, five days each month are deducted, lessening the term of imprisonment three years and four months. Again, one or two prisoners are annually selected and pardoned solely on account of their good conduct and their own merits. The friendless stranger has as good a chance of being thus pardoned as he who has rich and influential friends. A large and well-selected library is open to all. A chaplain is employed, and the doctrines of Him who came not to call the righteous, but sinners, to repentance, are disseminated daily in the chapel, and everything is done that can be to raise the criminal from degradation and crime to a better life.

"This is a picture of refined Christian influence; the former was one of unrestrained heathen passions.

"There is one — the mightiest among the mighty — who has been so instrumental in effecting such changes in this prison, that every one of its inmates look upon him with deep and heartfelt reverence and respect. No matter if the world outside do call us hardened villains; we still have a heart to revere him who looks upon us and speaks to us kindly, and the hundreds of prisoners who are now here, and the still greater numbers of those who have gone out into the world again, — no matter what may be their lot in life, — will carry to their graves the happy remembrances of the great good, the repeated acts of kindness, which he has shown them while they were in his custody. Need I say that the one we esteem and respect so, the one that has done so much for us, is our own warden? — the one who, leading his little boy with one

hand, walked into the centre of a hollow-square formed to-day by four or five hundred convicts, and delivered a most felicitous little address of about five minutes' length, announcing, among other things, that the Mississippi River is once more opened and free, and to remain open as long as the sun shines on the universe. The deafening applause of the Old Guard upon the battle-field of Marengo, when addressed by their chief and sovereign, — Napoleon, — was not more enthusiastic or heartfelt than the huzzas that went up to-day from the inmates of this prison at the conclusion of the warden's remarks.

"O that I had a pen of eloquence, that I might pay a just tribute of respect to our great benefactor. But alas! 'Can the rush grow up without mire? can the flag grow without water?' Neither can I guide my pen eloquently; I have been striving, but I have striven in vain. Then I tried to select from the vocabulary of my limited language a few embroidered words, — which would be beautiful upon parade, effective in battle, — and arrange them into sentences, so that they would at least have the cunning appearance of eloquence; but as often as I try, so often do I fail; therefore I relinquish the task, not to a more willing heart, but to a more able pen.

"Let our actions speak our gratitude; let our loyalty to the right speak for us; let our future lives speak for us more eloquently than any utterance of words possibly can."

"A Revery.

"Whether a man's misfortunes are the results of his own actions or crimes, or whether he is the victim of

another's intrigues, is not of sufficient interest for the busy world to investigate. That he is in disgrace is enough — let the cause go by unheeded. Such is the world in general, and into such a world I have seemingly awakened from a dream, a dream of real life, in which I had built many castles; and now I am encompassed by their ruins. I have awakened to find a bitter reality staring me in the face — I am a convict.

> 'I'm dreaming of my journey
> Across this stormy world,
> And the hour when my boat will anchor
> And its tattered sails be furled.'

"Only a few years more, and the doors of another world will be opened to me. A faith, an unclouded faith, tells me that, as I pass through the portals of those doors, a Saviour will be ready to welcome me. Jesus of Nazareth is that Saviour. I will not search all the world over to see if I cannot find another Saviour, and then, after finding none, exclaim, 'His is the only name given among men whereby we can be saved,' and accept him as a forlorn hope. No, my eyes first beheld that Saviour standing with outstretched arms, saying, 'Come unto me, all ye that are weary and heavy laden, and I will give you rest.' Such unbounded love leads me captive. I want no better, I seek for no other Saviour; and may I ever glorify his name in thought, in word, and in deed."

Famous and Forgotten.

In the year 1862, two men in different parts of the world — one in France, the other in Massachusetts —

both engaged at the same occupation — writing a book. Each is unconscious of the other's existence. Both are writing upon the same subject at the same time. One is writing "*Le Vie de Jésus*," the other is writing "The Life of Christ." One says the Holy One was simply a man born, nurtured, and at last executed, in Palestine. The other says he was Heaven's high Messenger; that he suffered and died to save men.

One makes him an infatuated enthusiast, the other exalts him as the Redeemer of the world. One is writing to create fame, the other tries to serve God. The books are finished. One makes a sensation over the world, the other is looked at, read, and laid aside. One author becomes famous, the other is forgotten. One is Ernest Renan, the other a prisoner, No. 294, M. S. P.

"AN IMAGINARY LETTER.

"CHARLESTOWN, MASS.

"ERNEST RENAN, Paris.

"Monsieur: I am a prisoner, you are a professor. I am a plebeian, you are a patrician. There is a vast abyss between us; but you are a citizen of France — the land that gives the world its politeness: therefore I presume you will give me audience.

"My hopes in this world are gone. You have written a book which aims a ponderous blow at my hopes and expectations in a better world. I come before you as a humble inquirer after truth.

"I was taught by an old mother — bless her soul: but then she was a plain woman, not learned in many

languages, as you are. She never went out of the country where she was born; while you have travelled all over the sacred land, all through the Oriental world. I was taught by her that God certainly dictated the Bible, the whole of it, — 'All Scripture is given by inspiration of God,' — and that each leaf of that volume was a layer of stone, rising one above the other, the whole forming an imperishable monument of his love and mercy. I was taught that it was his word, so plain that every one could understand it; that it was not surrounded by a mist and cloud which could be pierced by a few persons only, and then merely by those who confined their attention to it solely. I was led to believe that God is willing to teach his word and will to every one who will earnestly read it, relying upon him for directions, and that it is a plain and simple statement of things that had been, things that were, and things to come, with their connection with the eternal laws by which God governs mankind.

"But if it is true that the Bible is only a book of allegories and misstatements, then it must be very unlike the Being who, I have believed, dictated it — him who is essential Truth, unsullied Purity, an unchanging Lord and Creator. It cannot be what he declares it to be — the only guide to eternal salvation, the only guide to purity of heart — a guide so simple that the wayfaring man need not err in interpreting its language.

"It cannot be a certain teacher, if all it says is so mystical that several constructions can be put upon it, each one, seemingly, to human wisdom, as likely

to be true as the other. This is scarcely any better than a book entirely meaningless. A book with one page of truth and the next a misstatement, one page of veritable history and the next a pious fraud, is entitled to no respect.

"I am unwilling to believe the Bible such a book. I am unwilling to believe that such a book could be dictated by God; for it is not consistent with the character of Him who is the source of all truth and intelligence. But if your superior learning and profound researches have enabled you to discover, pronounce, and prove it a book of that character, will you please enlighten me regarding the following circumstances?

"When God promised Abraham that his posterity should take possession of Canaan, did Abraham understand by it some mythical allegory, by which he was promised immense blessings of some kind, but of *what* kind he could only understand until after a great deal of reflection and study? I have been led to believe that he understood God as meaning literally what he said, and that God fulfilled his promise as literally as he uttered it.

"I have heard that the sons of Ishmael are still wanderers in the desert — their hand against every one, and every one's hand against them, just as literally as God predicted it should be.

"Were not Sodom and Gomorrah destroyed by fire, as it was said? Has not Tyre become a ruin, so that where Hiram, king of Tyre, once swayed his sceptre in magnificence and pride, now the stork of the desert broods, and fishers spread their nets? Did not Baby-

lon fall? Was not Jerusalem destroyed? Or are these prophecies vain and empty words, which have not been fulfilled, and which history and your own personal travels in those countries do not substantiate?

"These things were all written by the hand of prophecy very plainly; and, if they have been fulfilled, was it not at least a very wonderful and striking coincidence of facts with prophecy?

"I was taught that the prophecies which relate to the Messiah were literally fulfilled in Christ. In the books of the Old Testament, it is distinctly foretold of him what he is to be; of whom descended; what kind of a life he is to lead; what sorrows he should endure; how he should sustain himself under them; what should be the manner of his death; what indignities should attend it; and that the Jews, of which nation he should come, should reject him. All these things are clearly written, and, if they do not mean Christ, will you please tell me whom they do mean? But, perhaps, it is all an allegory. If so, will you be so kind as to tell me where the allegories commence, and where end, and how to distinguish them from the balance of the writings? I wish to be a consistent man. Will you have the kindness to tell me how I can be consistent in accepting certain portions of the Bible, and rejecting the balance? Will the same rule of consistency, which I doubt not you will be able to give me, be a proper one for one of my friends, who may choose to make a sweeping rejection of all but that one paragraph, 'Drink no longer water, but use a little wine for thy stomach's sake and thine often

infirmities'? After you give me the rule of consistency to govern me, please tell me what warrant I shall have to get over that last paragraph of the Bible, which reads, 'And if any man shall take away from the words of the book of this prophecy, God shall take away his part out of the book of life.'

"You say that Jesus of Nazareth was but a mortal man; tell me, were the twelve apostles, and Saul of Tarsus (a pupil of Gamaliel), and the countless early martyrs, all addle-pated men, who laid down their lives for an idle infatuation?

> 'Whence but from heaven could men unskilled in arts
> In several ages born — in several parts
> Weave such agreeing truths? Or how, or why,
> Should all conspire to cheat us with a lie?
> Unasked their pains, ungrateful their advice,
> Starving their gains, and martyrdom their price.'

And those seven churches, — Ephesus, Smyrna, Pergamos, Thyatira, Sardis, Philadelphia, and Laodicea — referred to in the prophecy of St. John — are they still extant and unchanged, or did they meet their doom as literally as it was pronounced? I ask this of you, because I suppose you to be acquainted with the facts, having visited those scenes.

"I have seen before now, printed in large letters upon play-bills, 'SATAN IN PARIS.' I supposed the character represented was a myth — perhaps I am mistaken. Is that individual really a resident of Paris? Have you any acquaintance with his Satanic majesty? It is said that he declaims brilliantly and beautifully, and writes in smooth, silken, and melliflu

ous strains. And no marvel, for 'Satan himself is transformed into an angel of light.'

"Anxiously awaiting your reply,

"I am, respectfully,

"Prisoner 294, M. S. P."

The following article he calls

"A Wayside Thought.

"The same cause on different subjects will very often produce different effects. Thus the sun hardens clay, while it softens wax. A prison punishment hardens some, causing them to cast away all self-respect, and to throw off all restraints of society, and the laws of the land, when they go forth into the vortex of life again, seeking their highest good in sinful and unholy pleasures.

"It causes others to say with the Psalmist, 'It is good for me that I have been afflicted, that I might learn thy statutes.'"

And this, —

"Another new Prisoner.

"How often does each one of us inaudibly utter these words as we see a new comer being marched into the shop under guard, to commence his term of hard labor! The pantomimic questions are soon asked, 'How long have you to stay?' 'What for?' 'How did it happen?' 'What caused it?'

"Here is the story of one; his number is 288: A few short years ago he was at school. While in the

recitation-room, one summer afternoon, the principal sent for him, and said he was wanted at home — a message had just come for him. He took his cap and left, but had proceeded but a few yards from the academy before he was greeted with bursts of laughter from two of his companions, who had 'played such a nice trick on the principal' to get him out of school. He was about to return, saying he would get punished; but they jingled money in his ear, and said, 'No one will ever find it out — come with us.'

"That night found the trio within the walls of a low place of amusement. 'That,' said he, 'was my first step towards this place.'

"Years pass by, and still he keeps company with the same boys; the theatre is visited frequently, and a glass of wine is now taken between the plays. Time glides along. He has learned to drink gracefully with the young gentlemen of his age, and swear genteelly — ay, and get drunk.

"The war breaks out; he enlists as a soldier. 'That will keep him steady,' says Mr. Wiseacre. He gets a leave of absence for a day from his regiment; he must have two or three good glasses before he leaves for the seat of war; he drinks. That night he is 'enticed by her who sits in the market-places.' He drinks again — fills the cup to the sparkling brim. The morning finds him in a prison. Some said he was dead; others said he was dying; others that he was drunk. He comes to consciousness, and is told that he is a *murderer*.

"One good man takes him kindly by the hand, and says, 'My friend, what caused this sad affair?'

'Brandy, brandy,' he cried out, despairingly. 'Curse the wretches! why did they give it to me when they knew it would make me mad?' The good man comes to see him again a few days afterwards, and said, 'My friend, you had gay companions: you were the hale fellow well met among them. Do they come to see you now, and comfort you, and tell you to hope for the best?' 'Ah, no!' said our prisoner, sadly; 'I find they don't come to see me when I am sick, and in prison, and hungry; but I will try to meet things with a calm face.' How sorrowful he looked then! and so young, — scarcely twenty years of age, — with a fearful doom staring him coldly in the face.

"The day for him to plead to the indictment soon came around. He stood tremblingly in the prisoners' dock, while the clerk of the court read the indictment against him. The last words came — 'What say you? Guilty or not guilty?' There was a pause — not a whisper was heard. He answers, '*Guilty.*' His sentence was then read to him, 'to be confined at hard labor for the term of twenty years in the State Prison at Charlestown.'

"The romance of life has ended, and the reality commenced."

"A Midday Revery.

"In my cell; the key is turned; the count is taken; the pater-noster uttered; and now for my dining-room. No aromatic odors float in the air, quickening the appetite; no little Alice, with laughing face; no petite Ella, with curling hair, are awaiting me now;

but a stool, a pine table, and for my banquet — Well, begone, murmurs! memories of the past, begone! All — all is lost! No, not all: I have a hope in another world. Step by step we become accustomed to what happens — gradually pushed from one stand-point to another, we learn to submit. Wonderful is the power of adaptation in man! to climate, temperature, and every kind of food and clothing; to every variety of habit, condition, and circumstances. Give him sway, and he is a very lord paramount, attempting things gigantic in their conception and bearing. Let the hand be put forth against him, he does not fall; he may stagger, sway, and be carried with the current for the time being; but he recovers, and adapts himself to his new state. He sees things in a new light, and his opinions alter accordingly. Does misfortune still pursue him, — instead of crouching, crushed and disheartened, he stands up and proclaims aloud that it is only in adversity and quietude that true life is developed. Press him down harder and closer, until he is in positive ruin, and scorned by this world, — then he points triumphantly to the next, and welcomes what may come there."

The following was written on

"WASHINGTON'S BIRTHDAY.

"Reverend ———, lately a chaplain in the army, addressed us in the chapel this 22d of February. It was a sensible, practical, and inspiring address, entirely extempore, or, as I am a student of the French language, I will say it was delivered *sans façon — sans y penser*. He commenced with the words, —

"'Do not, my friends, think I have come here this morning because I have nothing else to do; for I have very much to do. Do not think I have come here merely because I was invited; for I was not. Do not think I have come here out of curiosity; for I have none, having been chaplain of the penitentiary in the District of Columbia, and I know all about it. I am here to do you good, and thus do good to myself.'

"Surely the speaker must be a sincere and devoted Christian, governed solely by the teachings of the Great Founder of Christianity — 'For I was sick, and ye visited me; in prison, and ye came unto me.' His frank and easy manner, his honest countenance, were at once a passport to the hearts of his hearers. He related the incident of Washington, who, while in winter quarters at Valley Forge, retiring from the camp to a small tree, and, pulling off his army cloak, spread it upon the snowy ground underneath its ice-laden branches, and bent his knees in prayer to God.

"The manner in which the speaker related this incident sent it home to the hearts of all who heard it. If Washington, a pure and spotless man, had need of prayer, how much more have we, who are under the ban of good society! He closed with an appeal for each one of us to go to our cells, and while the cannon are booming, banners are flying, and bells are ringing for joy, reflect why we are here, deprived of all pleasure, and then to reflect how we can avoid a greater condemnation.

"In obedience to his advice, I have been all day delving in the chambers and caverns of my heart. I find ruins of castles built high upon the foundation of future

hopes are thickly strewn. At one side is the crumbling pedestal which my boyish fancy had built upon a towering shaft of fame; and what boy has not built these airy castles and monuments? The foundations of a cottage, in which happiness and love were to reign supreme, are also in like decay. How well do I remember those boyish longings! how I lay awake at night and prayed that I might be a good, if not a great man; that I might have some way opened to me for the development of the highest manhood; that I might work out some noble aim; that I might in some degree make the world better for my existence! And now, at this late day of my life, I am groping among the ruins of these once ardent hopes. Unwillingly I ask myself why is it so? What caused all these blasted hopes? Looming up from that pedestal, upon which I had hoped to erect a token of honor and renown, is now, not a spectral, but a real column, upon which is chiselled — *Shame*. And that cottage, that ivy-clad cottage, where plenty, love, and happiness were to be the ruling spirits, is no more pictured to me, but rising before my eyes are the massive walls of a prison; and here I am

> 'Condemned to herd with the vilest of the race,
> And meet each day the murderer face to face.'

"Is this a reality? Where are those little ones who once ran to climb about my neck? Where is that old mother, whose tottering footsteps down to the grave I had hoped to cheer and lighten? They are buffeting the billows of the world alone, and think me dead. The dark cloud of my existence has a silver

lining in the thought that they do not know of my disgrace; and sooner would I let the rack of torture rend every bone in my body, than fill their days with sorrow, grief, and shame.

"But why am I here? I will not evade nor shrink from the answer. I had broken God's commands. I was leading an aimless life—and an aimless life is a sinful one. Like the barren fig-tree, I had been all foliage, and no fruit, resting simply upon one or two traits of character which I thought redeeming ones, and with them I hoped to get the countersign which would pass me through the gates of heaven. Vain and conceited shadows, from this day begone! The chastening hand was laid upon me. May it prove His hand of love and mercy.

"How shall I escape a greater condemnation? How shall I redeem myself? 'You have a Redeemer.' Ah, yes, but he is not a Redeemer for those who sit down calmly and idly, resting upon the words, 'He that believeth shall be saved.' Something more is required of me than that. 'What doth it profit though a man say he hath faith and have not works: can faith save him?' What can I do to redeem myself in his eyes? First, I can restore order in the little temple within me. 'Know ye not that ye are the temple of God, and that the Spirit of God dwelleth within you?' My heart a temple of God! Alas, how sadly desecrated! I can remove the tapestried glitter of selfish and worldly aspirations. I can cast down the image of Mammon. I can plant the cross, erect an altar to God, and before it kneel in reverence to Him who has given me life and being. I will do this.

I will utter with sincerity the publican's prayer — 'God, be merciful to me, a sinner,' and ask with Saul of Tarsus, 'Lord, what wilt thou have me to do?' O, grant that I may yet have the power of doing, for every wrong and selfish deed done in the past, two good ones in the future. O, grant that I may have the privilege of redeeming myself in thy sight, and in the sight of my fellow-man."

"A Story of the World.

"They dragged me away from my cottage door;
I was tired and hungry, cold and poor;
There were comfort, content, and love within;
But they dragged me away in my tatters thin,
With jeers and scoffs at my crime and sin.

"They forced me to enter a narrow cell,
Where the rays of the sun-light never fell,
Where no sounds were heard, save the steeple's knell,
To tell of the lost ones perishing.
The lime-washed walls were bare and bleak,
My eyes grew damp, my limbs grew weak,
A spark of hope vainly cherishing.

"Then my heart grew cold; the demons came
With their livid lips and their eyes of flame;
They told me to die, and hide my shame,
And laughed till my brain whirled dizzily.
They sauntered past, up and down, to and fro,
Taunting, mocking, and gibbering low, —
'Seek peace and rest; strike deep the blow,
Down deep where the heart throbs busily.'

"I felt their breath on my tortured brain;
They tore my heart, and I shrieked in vain;

They whispered, 'Death is the end of pain;
Fly — fly to the grave's security,
The world will turn from the hideous stain
That ever will blot thy purity.'

"They bade me remember the bright old time,
My cottage home, in my native clime,
My children under the dangling thyme,
And the friends I lost by the charge of crime,
Till, smothering my soul's humanity,
I grasped at the blade, in my deep despair,
And bared my breast in the sluggish air;
But the warm blood curdled and thickened there,
To witness my wild insanity.

. . . .

"My hand! God, let me not think of it,
But send my summons. O, death, pale death,
Let me see thy face; let me feel thy breath;
Thy lethean cup, let me drink of it.

"O, give me a bed in the snow so deep,
The frost with a shroud to cover me;
The winds will lull me to dreamless sleep,
And the stars in their far-off homes will keep
Their beautiful night-watch over me.

"Silent and still,
Near Bunker Hill
A prison stands high and frowningly;
Its walls, though old,
Have a touch of gold
As the morning sun comes crowningly;
'Tis a lonely home,
Under that gray dome,
That looms in the air so boldly;
The world outside,
A changing tide,
Ever will turn from it coldly.

'Tis a monitor, too;
Though its words are few,
Yet it speaks, though nations alter;
Its voice so strong
Warns old and young
From the right to never falter.

"Within those gates
Our captive waits,
With a prayer that ceases never,
While tears are shed
For the bright days fled,
And the old friends lost forever:
His heart beats on,
Though hearts are gone
That warmer beat and younger;
His hands still move,
Though hands he loves
Are clasped on earth no longer.
'Tis a convict crowd;
His head is bowed
In a deep, despairing reverie;
For all look down
With a scorning frown
At his degrading livery.

"But where is the wretch, with a heart defiled,
That blighted that life so shamefully?
He left the victim his arts beguiled;
He is not loathed, contemned, nor reviled;
No lips speak of him disdainfully;
For he has power and fair broad land;
He has a sounding name, a jewelled hand;
He is revelling now where the lamps shine bright,
Where the hours go by in a festive flight,
And the gleeful song rings merrily;
There are feasting and laughter to rule the night,
And warm, young hearts beat cheerily.

Where the censers breathe and the jewels shine,
He offers them now the rich red wine;
But he never by token, or word, or sign
  Alludes to his victim's history.
No; fill the cup to the sparkling brim;
With life, and pleasure, and fame for him,
The future is bright; let the past be dim,
  And wrapped in a fearful mystery.

"In the penal code of this righteous world,
  Justice, I ween, is a rarity.
At the poor unknown the lip is curled,
The bitter taunt and sarcasm hurled,
  With sure, unvarying parity;
But over the monster, mean and vile,
Whose heart is a canker, festering guile,
Who kills with the light of his gilded smile,
  We throw the pure mantle of charity.

"There is many a heart that faints and fails,
And many a beautiful cheek that pales,
And eyes that weep at fictitious tales
  Of sorrow, and wrong, and misery,
That will turn from the pallid brow that veils
  A deeper and wilder agony."

But perhaps the most remarkable production of this talented convict is yet to be noticed. In my possession is a book, composed, printed with a pen, and bound by him, while in prison. It is entitled "The Life of Christ;" and whether viewed as a literary or mechanical work, is one of the greatest curiosities within my knowledge. It is a volume of more than three hundred pages, of the common duodecimo size, with title page, contents, chapter headings, margins, &c., executed in the neatest style, and with an accuracy

and beauty simply wonderful. It has a beautiful pen-and-ink sketch for a frontispiece, representing the Flight of the Holy Family, drawn by a fellow-convict. It is bound in elaborately-carved black walnut covers, with raised letters and scroll work, and with a velvet back. Of course the materials were furnished him by the officers of the prison. This book has been examined by eminent clergymen and scholars, who, without exception, have expressed their wonder and admiration, and any one curious in the matter can see it on personal application.

It is proper to say, in this connection, that in the autumn of 1867 a valued friend of mine, Rev. J. E. Rankin, of Charlestown, published a brief account of this volume in the Congregationalist and Boston Recorder, and made extracts, a few of which elicited some criticism, tending to show that the convict was indebted to the Rev. Dr. Schaff for some striking paragraphs. The reader is directed, for a candid discussion of the subject, to the paper above mentioned, of the dates October 17, 24, and 31, 1867. It is sufficient to say here, that the convict's book was written in 1863, and Dr. Schaff's book was published in 1865; and certainly, as far as is known to any of the officers of the prison, the convict never saw any of Dr. Schaff's writings. It appears, however, that in an address, first published in the Mercersberg Review, early in 1861, the reverend doctor uttered himself, in some sentences, almost identical with the suspicious sentences in "The Life of Christ," and it is probable that some newspaper extract came under the eye of the convict at some time unknown to us. Mr. Rankin well

remarks, "That his obligations were to an abridged form of this treatise, the fact of his omitting some of the finer passages may possibly show. But, if he had this address at all in the prison, he must have taken it in his memory, or have found portions of it in books to which he did have access.

"Now, let us look at what he proposed to himself in writing the book, and the obligations to others which he acknowledges. In his Introduction he writes thus: —

"'My aim has been humble. . . . I have endeavored to give a short, connected sketch of the life of our Lord and Saviour; such a one as a close study of the four sacred Evangelists has developed to my mind, assisted by such teachers and guides as Fleetwood, Neander, Stanley, Josephus, and others. Yet, while following in the paths surveyed by these eminent writers and divines, it is hoped that there will be found sufficient in what follows to render it free from the uninviting character of a mere compilation. I must say, apologetically, that the following pages were originally written for the purpose of impressing indelibly upon my own mind the truths and teachings of inspiration; and I have hesitatingly put them into the present form because of their utter unworthiness.'

"With this general acknowledgment he makes no quotations. Even where he quotes language quoted by the author, he uses no quotation marks. Not expecting the book to be published, or, at least, without the express acknowledgments of the Introduction, perhaps he has not transgressed beyond forgiveness, especially by the clerical class, for whom it is not

always elegant, convenient, or agreeable to make full acknowledgments, and of whom some slips in this direction are said to be on record."

Specimens of this convict's writings already given, and a great number that might be added if space allowed, and which could by no possibility have been composed by any one else, sufficiently prove his genius, and that he had no occasion to copy from others. If, in the solitary workings of his mind, as he sat in his cell, laboring at this book, his memory called up views of another which coincided with his own, or if he found such views in a religious paper which some prisoner's friend had given him, is it to be wondered at that he made use of them? Who of us would not have done the same, especially as he was not writing for the eye of the world, and as he knew his single pen-printed volume might never go outside the prison-walls?

After the Introduction (in which are the sentences that gave rise to the discussion) the direct narrative begins in these words: —

"In the north-western part of Palestine, about seventy miles from Jerusalem, fifteen gently-rounded hills seem as if they had met to form a small and quiet valley. They rise around it like the undulated edge of a shell, to guard it from intrusion. Upon the slope of one of these hills, in the midst of this rich and beautiful valley, abounding in gay flowers, and fig trees, and olive trees, was situated the little city of Nazareth, the home of Mary, the mother of Jesus. Its separation from the busy world, its delightful seclusion, constituted its chief peculiarity. When the

angel Gabriel was sent from heaven, eighteen hundred years ago, to announce that divine message of mercy, and the rekindling of the pure light of goodness before that sinful and miserable generation, we ask ourselves whether the holy watchers on the crystal walls of Paradise wondered as they marked the swift messenger of peace, and saw him pass by the abodes of the rich, the learned, the great, the mighty men of renown, to enter the humble abode of a young and lowly-born maiden in this city of Nazareth.

"'Hail, highly-favored one; the Lord is with thee; blessed art thou among women.' Such was the salutation of the angel Gabriel to the Virgin Mary.

. . . . . .

"Among the few devout ones of Israel who had not lost all faith in the promises of God, and who entertained a strong belief that the time was drawing nearer and nearer when some unmistakable sign from God would be given that the promised Emanuel had been sent, — as predicted by the prophets of old, — were a band of shepherds. In their vigils over their flocks grazing upon the hills near Bethlehem, they were surprised at night by the glory of the Lord coming suddenly upon them, turning the darkness into celestial light, and an angelic choir announced, with a song of praise and glory to God, that a Saviour and Redeemer to Israel was born in Bethlehem. The shepherds at once set out, on the same night of their vision, a night so heavily laden with interest to man's salvation, to pay their adoration to the new-born Messiah.

"In another direction, to the east of Palestine,

certain wise men, in observing the heavens, beheld a star, of unusual appearance and majesty, travelling to the westward. Unable to account for its seeming close proximity to the earth, they became convinced in their own minds, that, like 'the pillar of cloud by day, and pillar of fire by night, to the Israelites of old, this star was a manifestation or token from God, that the great King and Deliverer of Israel had been born. As wise men and philosophers, they doubtless considered this the greatest miracle of human history, and one that was to raise them once more to communion with God. Therefore they welcomed with enthusiasm and joy this blazing star, as it cast its rays of light upon a world at so dark a time, and they prepared to follow it as their leader, to do homage to their Deliverer."

A short extract from the chapter on the Resurrection is all for which space remains.

"The dawning of the third day after the crucifixion was looked for with fervent and hopeful solicitude by the apostles. The time dragged slowly and heavily as they watched for the realization of the last prophecy of Christ: 'After three days I shall rise again.' Twice had the sun gone down on the earth, and all, as yet, was quiet at the sepulchre. Death held his sceptre over the Son of God. Still and silent the hours passed on; the Roman guards still stood by their posts, while the rays of the midnight moon gleamed on their helmets and on their spears. The enemies of Christ exulted in their success; the hearts of his followers were sunk in despondency and sorrow, all unconscious of the angels of heaven hovering

near to behold the approaching event. At length the morning star, rising in the east, announced the approach of light. The third day began to dawn on the world, when, on a sudden, the earth trembled to its centre, the powers of heaven were shaken, and an angel of God descended to the holy sepulchre. The guards shrank back in terror at his presence, and fell prostrate on the ground. 'His countenance was like lightning, his raiment was white as snow.' He rolled away the stone from the door, and sat upon it. But who is this that comes from the tomb, from the bed of death — he that is so glorious in his appearance, walking in the greatness of his strength?

"It is thy Prince, O Zion! Christian, it is your Lord, who rises from the grave a conqueror, to meet the morning's resurrection. He returns from the world of spirits, bringing salvation to the sons of men. Never did the returning sun usher in a day so glorious. Let it be proclaimed the jubilee of the universe! Let the earth, and all that is within it, all nations and all people, shout for joy! Ye clouds, with jarring thunders, ye deeps, with roaring billows, lend your voices! Wake, ye soaring throngs and feathered warblers, whose glittering wings are tipped with gold; tune your voices to unite with the angelic hosts in a sublime Hosanna to the Highest! Swell the inspiring theme, until heaven's high arch shall echo back the sound, — Hosanna in the Highest."

Although it is difficult to judge of the general character of a book by scattered extracts, it is believed that these few pages will more than substantiate what has been said in regard to this really remarkable "Life of

Christ;" and when all the circumstances attending its composition are taken into consideration, our wonder only increases at the results attained by this talented convict.

The following very singular incident I can vouch for as having actually occurred. I refer to it, not to illustrate a supernatural or any other unusual agency, — as I am a sceptic in such matters, — but as a remarkable instance of hallucination or presentiment.

I received a message from the wife of one of our convicts, in prison for life, that their only child, a bright little boy five years old, was dead, he having accidentally fallen into the water, and been drowned. I was requested to communicate to the father the death of the child, but not the cause, as his wife preferred to tell him herself, when she should visit him a week or two later.

I sent for him at the guard-room, and, after a few questions in regard to himself, I said I had some sad news for him. He quickly replied, "I know what it is, Mr. Warden; my boy is dead!" "How did you hear of it?" I asked. "O, I knew it was so; he was drowned — was he not, Mr. Warden?" "But who informed you of it?" I again asked. "No one," he replied. "How, then, did you know he was dead, and what makes you think he was drowned?" "Last Sunday," he said, "your little boy was in the chapel; he fell asleep, and you took him up and held him. As I looked up, and caught sight of him lying in your arms, instantly the thought occurred to me that my boy was dead — drowned. In vain I tried to banish

it from my mind, to think of something else, but could not; the tears came into my eyes, and it has been ringing in my ears ever since; and when you sent for me, my heart sank within me, for I felt sure my fears were to be confirmed."

What made it more remarkable was the fact that the child was missed during the forenoon of that Sunday, but the body was not found for some days after.

One of the most ingenious plans and bold attempts to release convicts from the prison occurred on the night of the 10th of September of this year (1868). The plan had been maturing for several months; its existence was known to the authorities, but the precise method to be adopted by them, or the time for carrying it into execution, was unknown, and, but for the suspicious conduct of the parties the day previous, might have been successful, and the release of three of the most desperate characters in the prison would have been the result. These parties were serving the following sentences: one of twenty years, for burglary, one of sixteen years, for robbery (his second term here), and one of five years, for breaking and entering, with several other charges of a like character against him in another county, upon which he is yet to be tried.

Our only mode of punishment, it will be remembered, is solitary confinement in a dark cell, with a board and blanket for a bed. The cells used for this purpose are the centre ones on the lower tier of the north wing, in the vicinity of which is stationed an

officer, night and day. It sometimes occurs that convicts confined in these cells are noisy, disturbing the prison by whistling, shouting, and beating against the door. The slightest noise is heard by every inmate, and when once started, it will frequently be taken up by others in different localities, and for a few moments we have a demonstration not easily described.

To be prepared for and to guard against occurrences of this kind, the authorities, in remodelling the basement of the west wing, last year, for a store-room, reserved four of the original cells located there, and fitted them up for the confinement of those who should disturb the prison. This was done by separating them from the principal apartment with a twelve-inch brick wall, in which was a strong iron door, which must be passed through to reach them.

The walls of these detached cells are of granite, four feet thick, with no opening but for the door, which is made of iron, weighing nearly five hundred pounds, secured by heavy bolts, and fastened with massive padlocks, the object being to guard against the convicts getting out, and not against parties getting in. These cells are so isolated from the main building that no sound can pass from one to the other. The entrance to them is through the store-room, the door of which is in the west end of the building; on the sides of this room are small windows, which, in the warm season of the year, are left open for ventilation.

Convicts removed to these apartments for disturbing the prison are deprived of the board and blanket allowed them in the other punishment cells, and also the privilege of seeing their friends, writing and

receiving letters, for such time as the authorities shall think proper. This is well understood by them, and consequently we are not often required to use them, especially for those having a long sentence, or expectations of some time obtaining a pardon.

The three convicts referred to, for some intended violation of the rules, were sent from the workshop to the prison. During the afternoon they became noisy, and were removed to the cells in the store-room. This was a part of their plan.

The singular conduct of these men, ordinarily well behaved, in not only getting into trouble in the first place, but in giving cause for their removal to the arch, knowing the consequences, roused the suspicion of the authorities; and, with the information already in their possession, induced them to take those measures which not only frustrated their plans, but secured their principal agent from outside.

Soon after dark of this evening (September 10), the deputy warden, Mr. Oliver Whitcomb, took a position in the door-way of the foundery, commanding a view of the door and windows of the store-room. About eleven o'clock he heard something drop from the wall in the rear of the building, and almost immediately a man came round the end of the foundery, and, quickly crossing the space between it and the prison, a distance of about forty feet, sprang through the open window into the room. The information was instantly communicated to the warden in the guard-room, who, with the two officers on duty in the prison, repaired at once to the spot, and stationed themselves on either

side of the building, to prevent the escape of the intruder, whilst the deputy warden was procuring lights, and calling up the officers who sleep upon the premises.

The arrangements to prevent the possibility of escape having been completed, the door of the store-room was thrown open, and immediately upon entering a pistol was discharged from within, and one of the officers slightly wounded in the hand; almost in the same breath, a man stepped forward, and surrendered himself. He proved to be a discharged convict, who left the prison only ten days before.

He was fully prepared to execute his plans, having with him two cast-steel crowbars, four and a half feet long, one of them split and rounded at the end, like a claw hammer, for drawing spikes or bolts, an iron saw frame, with three extra saw blades for cutting off bars, a keyhole saw, a heavy hammer and cold chisel (both of which were muffled, to prevent noise), files, a dark lantern, &c., and armed with a revolver. He was dressed in dark clothes throughout, with rubbers upon his feet. With the facilities he had, it would not have required more than twenty minutes to have accomplished his object.

He gained access to the yard from a shed in the rear of the wall, which he ascended by a short ladder, and letting himself down inside by a rope, which was afterwards drawn up by his accomplices, and coiled upon the top of the wall, one end being made fast to the railing, and a string attached to the other, to pull it down when required. This was to guard against

its being discovered by the watchman in going his rounds.

The culprit was secured for the night. The next day, the grand jury being in session, a complaint was made against him, a true bill found, and the week following he was tried, convicted, and sentenced to the State Prison for five years. Just seventeen days from the time he was discharged, he was back in his old quarters again.

This incident illustrates, to a certain extent, the constant care and vigilance required in an institution of this kind, with upwards of five hundred and fifty inmates, among whom are some of the most ingenious and skilful workmen to be found in the land, men who have made the breaking of bolts, bars, and locks, and the deception of their fellow-man a profession; with every description of tools within reach, with so many active minds, whose whole power and thought are concentrated upon this one point — to escape — able, in many cases, to command money to an unlimited extent, and friends from outside, is it strange that they should sometimes succeed? The least word dropped, the slightest movement made, or sign given, incidents so frivolous as to pass unnoticed outside, must be considered, weighed, and investigated: it must not be presumed because everything is right in the morning, that it will be so at noon; that every man locked up at night will be found in his cell in the morning.

A gentleman in one of the towns in the interior of the state was returning home from his store, after

having locked it up for the night, when he was accosted by two young men, who inquired the way to the next town. Stopping to give them the direction, he was knocked down by a blow given by one of them with a bludgeon he had concealed on his person. They beat him till he was insensible, and having rifled his pockets of his keys, went to his store and robbed the safe, obtaining about a thousand dollars in money and some other property.

These young men were arrested for another offence, and while awaiting trial, circumstances came to light which fastened this crime upon them. They were convicted, and sentenced to the State Prison for life.

Soon after their commitment to the prison, one of them expressed a wish to have a private interview with me, which was granted. Up to this time they had denied their guilt. He now confessed that they committed the robbery, and he was anxious to make all the restitution in his power. The money and the rest of the property taken from the gentleman at that time was buried in a spot known only to themselves, and if permitted, he would conduct me to the place, and this property could be recovered.

Having a vivid recollection of the exploring expedition of one of my predecessors under similar circumstances, I declined, and quietly informed him that neither I nor any one else had the authority to take him out of the prison on such an errand, and if the recovery of the property depended upon that, it was useless to talk about it. He still persisted in his story, and endeavored to give me such instructions as would enable me to find it; but being unacquainted with the local-

ity, I suggested that he should draw a rough plan, which, perhaps, might guide me, being willing to run the risk of being fooled, but not to the extent which I thought he had anticipated. The plan was drawn, but it gave me no light upon the matter. I then intimated that he should send for the gentleman robbed, and perhaps he might be able, after hearing his story, to find the place. This was done; the party came to the prison, and had an interview with him, and he gave him such information and instruction as he could impart with the aid of his rough sketch; but, after digging over a large space of ground, as directed, he gave up the effort. The gentleman, feeling that there might be something in the story, appealed to Governor Bullock for permission to have the young man taken to the place; but the governor was as powerless as myself. The matter was about being dropped, when I proposed to the owner of the property that he should have a photograph of the locality taken, and bring the picture to the prison, and perhaps he might be able to point out the spot. This was done, and the view, thus obtained, shown to the young man. After looking at it for some time, he took a pin and struck into the paper, with the remark, "There, sir, there is where I buried the box." He took the picture thus marked, and started upon another search. A few days after, I received a letter from him, stating that he went to the spot thus designated, and almost immediately turned up the box. The contents were all right; precisely as he left them on the night of the assault.

One evening, in December, 1864, a gentleman, by

the name of T., was driving from Watertown to Waltham in a sleigh; suddenly two men appeared in the road, and intimated, by signs, that they wished to speak with him. He stopped his horse, and one of them, approaching him, presented a revolver and demanded his money. He hesitated a moment in consequence of seeing a team approaching; but the close proximity of the revolver to his head, and the intimation firmly expressed that the slightest word or movement would cost him his life, prevented his giving an alarm, although the driver of the team stopped his horses and inquired if anything was the matter; but being requested by one of them to attend to his own affairs, quietly drove on.

After giving up his money, — something over three hundred dollars, — he was politely requested to vacate his sleigh, into which the robbers immediately sprang, and, turning the horse's head towards Watertown, and wishing him a good night, they drove rapidly in that direction. The gentleman followed on foot, and on reaching the village, gave the alarm, and as soon as assistance could be obtained, started in pursuit. His team was found in Cambridge, but the birds had flown.

The next evening an expressman was stopped on the Salem turnpike by the same parties, and robbed of about the same amount.

A few days later a young man by the name of M., only nineteen years old, was arrested in Boston, charged with these robberies. The parties interested were sent for, and fully identified him as the robber, and he was taken to Salem, where he was tried, con-

victed (the expressman swearing positively to him,) and sentenced to the State Prison for life.

Just one year from the time he was committed to the prison, another party, by the name of J., was received on a sentence of six years, for burglary, it being his third term here. Shortly after J.'s commitment, he expressed a desire to see me, said he had something of importance to communicate, if I would send for him. At the interview he told me that we had an innocent man confined in the prison, giving me the name of M. Knowing the character of J., the information was received with doubts pretty strongly expressed. On my inquiring what proof he had of this man's innocence, he hesitated a moment, and then, without even exacting a promise from me that he should be protected, replied, "The strongest proof in the world, for I myself committed the two robberies with which M. has been charged, and upon which he has been convicted." Still incredulous, and not doubting he had some deep design in making this confession, I inquired what he expected to gain by the information, even if it should prove true? "Nothing," was his answer; "but the truth is, Mr. Warden, I have been a bad man all my life, and don't profess to be anything else now; yet, bad as I have been and am, I have no desire that any one else should suffer for my crimes." He then, at my request, proceeded, and rehearsed, most minutely, all the circumstances of the two robberies. His revelations made a deep impression upon me. I knew that the two men had not met, nor had they had any way of communicating with each other in the prison up to that time; in fact, — as was

afterwards ascertained,—they did not know each other even by sight. M. was arrested within a day or two of the last robbery, and from that time, nearly a year and a half, no communication could have passed between them.

At my request he wrote out the particulars in full, and gave them to me. I immediately, without letting him know my intention, drove out to Brighton, expecting to find Mr. T. at his office; but he had left for his home in Newton, to which place I proceeded, and having found him, gave him the document. After reading it a second time in silence, he exclaimed, "The one who wrote this paper must have been present, for facts and circumstances are mentioned quite forgotten by me, which could not have been known to any one else. At my suggestion, he returned with me to the prison. I sent for J. (not an uncommon occurrence), and while talking with him at the gate of the octagon about some work I wanted done, Mr. T. was seated, with other gentlemen, some thirty feet from him—the usual place for visitors to the prison; without noticing the fact, I observed that J. kept his eyes upon the party of gentlemen: finally he said, "Mr. Warden, I think I know one of those men." I inquired which one. He pointed out Mr. T., and said, "I think that is the man I robbed at Watertown." I then brought him into the room, and they had an interview, the result of which was, that Mr. T. returned perfectly convinced that J. was the man who robbed him.

My next move was to get the expressman, for robbing whom M. was convicted, to visit the prison, J.

having assured me that he could satisfy him that he had made a mistake in swearing to M. In this I failed; so confident was he that he was right, and that we were being duped, that nothing I could do or say would induce him to give it a moment's consideration. Finding I could accomplish nothing in that direction, I drew up a statement, covering the facts in the case, and presented it to Governor Bullock. Here, again, I failed; the governor had such doubts in regard to the matter, that he declined even to refer it to the committee on pardons, and it was not till Governor Claflin was elected that an official investigation was obtained. The investigation of the council was, as the case demanded, most thorough, the state police being called in to assist them. The result was the verification of the statement of J. in every particular, showing, beyond question, the innocence of M., who was immediately pardoned, having served four years and one month for a crime he knew nothing about.

J. was one of the most daring and desperate rogues in the country; indictments, found against him for breaking and entering, and burglary, are now on file in several of the counties in the state. Yet in prison he was a quiet, and apparently an inoffensive man, an excellent mechanic, one who could turn his hand to almost anything. He has recently left us, under the following circumstances: He was engaged in putting in the pipe for heating the new workshops recently added to the prison, and, to make the connection with the boiler, he was allowed to remain in the shop in the evening, in charge of a person supposed to be competent to take care of him. They had nearly

finished the work, when it was found necessary to go to the blacksmiths' shop (all within the walls) for some bolts; they started together; suddenly the attendant missed J., and immediately returned, and made a hasty search, but not finding him, gave the alarm at the guard-room. One of the officers on duty repaired at once to the scene, and found, hooked upon the railing of the wall, a piece of gas-pipe, and supposing he had escaped in that way, returned and notified me. Not stopping to examine the apparatus he was supposed to have used, I started in pursuit, taking the direction I thought it most likely he would go. My pursuit was unsuccessful, and after giving information to the police, I returned quite late in the evening. The next morning I was shown the pipe by means of which he was supposed to have scaled the wall. I at once expressed my doubts of his ability to accomplish so difficult a feat by such means; but knowing he had had the whole night before him, I quite naturally supposed he had gone. The following morning the matter was explained, showing that my surmises were correct. It was ascertained that he did not leave on the first night, but was concealed in the yard or workshops. The object of the pipe was to mislead us, as it assuredly did. The next night, keeping out of the way of the watchman, he, from his knowledge of the various departments, succeeded in obtaining, by breaking open their closets, a couple of coats and a cap belonging to the officers, and then, by splicing together two short ladders, — he knowing just where to find them, — reached the top of the wall, and with a rope, obtained in the same way, lowered himself to the

ground outside, and commenced, I doubt not, a new career in crime, to be continued till justice shall again overtake him.

In this connection, and in consequence of the discussion growing out of the supposed innocence of two young men recently pardoned (November, 1869) from this prison, it may not be out of place here to inquire to what extent are innocent parties convicted in our courts, and the cause, and remedy, if any exist.

In discussing this subject, I disclaim all intention of reflecting, in the least degree, upon our judiciary system; it is, perhaps, superior to any in the Union. Yet, notwithstanding the great care taken, with judges selected and appointed for their peculiar fitness, independent of any political action, and as free from the taint of partisanship or individual bias as it is possible to find man, yet mistakes, from no fault of the court or prosecuting officer, do undoubtedly sometimes occur, and to a greater extent than is generally supposed.

A crime has been committed; suspicion may rest upon a party who has been in prison; if so, he is half convicted when arrested. The feeling that "if not guilty of the particular crime charged, he may be of others equally as bad," has more weight in our minds, than we would, I fear, be willing to admit.

Let us consider, for a moment, the condition of a man thus situated, and the disadvantages under which he labors. Unable to procure bail, he is kept in close confinement; he has no money to fee counsel, no friends to advise with, no means to secure witnesses, if he has any, and ignorant, perhaps, of the form of

the charge against him till arraigned in court. On the other hand, the officer who makes the arrest, and is employed to "work up the case," is supposed to be a shrewd, persevering individual, with ambition, if not a reward, to stimulate him; he is familiar with the business, and knows how to make the most of every word dropped, every movement made, and every incident obtained; he can sift the wheat from the chaff, preserving only so much as suits his side of the case. Not being paid by or interested on the other side, he cannot be expected to follow up or investigate any clew tending to destroy his theory. Is it strange, in a trial under such circumstances, that the government should sometimes succeed in convicting an innocent man, and the officer be complimented for his tact and ability?

Again, it is not unusual for a convict to claim to be innocent, although on his trial he may have pleaded guilty. This may seem strange to those not familiar with the process of working up criminal matters, and yet there are unquestionably such cases. A man charged with crime, and shut up waiting trial, does not always know the character of the evidence which may be brought against him; an officer who thinks a man guilty, and is unable to obtain sufficient evidence to insure conviction, will sometimes endeavor to persuade him to plead guilty, intimating that he will, probably, be convicted, and by pleading guilty his sentence will be much less, and, perhaps, the case placed on file. The prisoner may be a young man, inexperienced, and without friends or money; and is it surprising that he should, under such circum-

stances, take the advice of one who appears to be so friendly?

The writer, not long since, had occasion to be in court during the trial of a young man charged with rape. It was alleged that he enticed a young woman into a drinking saloon, kept by himself, where the crime was committed. The woman swore to having entered the building without suspicion, when she was seized, and, notwithstanding her cries and struggling, her person was violated. An officer testified to hearing the noise, and, forcing the door, found the parties so situated as to strongly corroborate the woman's statement. Such was the evidence of the government. The prisoner had no counsel, friends, or witnesses, and his conviction and sentence to the State Prison for life were certain if the case went to the jury. Judge R. was then upon the bench, and although rogues might have had cause to fear his sentences, I never heard it intimated by a single individual, that he did not give them every chance and facility for proving their innocence, if they claimed it, upon their trial. The fate of the young man seemed inevitable; the judge hesitated, and expressed an unwillingness to have the case go to the jury without a defence, and inquired if any member of the bar would volunteer to present it. Two of them having expressed a willingness to do so, the case was reopened, and the woman brought upon the stand again, and, on the cross-examination, it was shown from her own lips, that she was plying her vocation, and the charge grew out of a disagreement in regard to money. The young man was finally convicted of an offence which sent him to

the House of Correction for a few months, instead of the State Prison for life.

That some men are convicted who are innocent is beyond dispute. What, then, is the remedy? It is thought by some that there would be as much propriety in the government's employing counsel to prove a man innocent as to prove him guilty. Without discussing this point, I think something might, and ought to be, done by the government to meet such exigencies as have been presented. A competent person should be attached to every criminal court, whose duty it should be to advise and assist, free of expense, those who were found unable to obtain assistance in any other way; not to prevent, but to see that the prisoner received, justice, in having the favorable as well as the unfavorable side presented.

Such a course, I doubt not, would prevent many an innocent man from being convicted, save the governor and council the trouble, and the state the expense, of investigating such cases, and silence the now almost invariable complaint of the convict that he received neither fair play nor justice on his trial.

The community would be surprised at the number of pardons applied for annually upon the ground of innocence of the parties convicted, and at the number actually discharged upon such applications. Not that innocence beyond question is always proved, — for that is a difficult matter, and rarely occurs, — but that so much doubt is raised by the introduction of new or the explanation of former evidence, as to show a strong probability, if not entire innocence, and a pardon is granted.

"Better that ten guilty ones should escape than that one innocent should be convicted," is a true saying. Better also that the state should spend a thousand dollars, if necessary, in proving a man innocent, if he be so, than in convicting him under any circumstances.

During the past summer a staging was erected around the cupola which surmounts the main building of the prison, for the purpose of making some repairs. Passing through the yard one morning, I was accosted by one of the convicts, who addressed me as follows: "Mr. Warden, I would like to ask a favor of you, if I thought it would be granted." I replied, that if it was a proper one, I would be happy to grant it. He continued, "I have been confined in this prison almost twenty-two years. During that time I have not been outside, or looked over these walls. I would like, if you would allow me, to go up on to that staging" — pointing to the cupola — "and look out upon the world once more." "Certainly," I said; "and I will loan you a field-glass to assist your vision." This man was born beneath the shadow of Harvard College, and always lived in Cambridge. He was a wild boy, and gave his family much trouble; he became a great drunkard, and was frequently an inmate of the House of Correction in consequence. On being discharged from that institution, after serving a sentence of six months, on a complaint made by his mother, he went deliberately, in the night time, and set fire to her house, which was entirely consumed, and his own brother perished in the flames. He was tried for the offence,

convicted, and sentenced to be hanged — the penalty for arson at that time. His sentence was finally commuted by Governor Briggs to imprisonment for life in the State Prison. He was received at this institution on the 4th of February, 1848, he being at that time thirty-six years old.

During the above period, he had, as he remarked, never been outside, or looked over the walls; the extent of his vision had been confined to the four acres enclosed within those barriers.

What changes had taken place, not only in this vicinity and our country, but throughout the world, during the almost twenty-two years of his isolation! New governments have arisen, and old dynasties crumbled into dust.

Thousands have witnessed the wonderful acting, if acting it can be called, of Mr. Jefferson in Rip Van Winkle, and have wept and smiled, in turn, at his mystification on awaking from a supposed twenty years' sleep; but here was a living reality — no fiction, but truth itself, which is so often the stranger of the two.

James K. Polk was then president; the Mexican war had hardly terminated; the population of the country has increased from twenty-one to nearly forty millions, and the number of states from thirty to thirty-seven. The riches of California had not been discovered. Clay, Webster, Calhoun, and Benton — those intellectual giants — were in the Senate, and John Q. Adams was battling for the right of petition in the House of Representatives. Webster had not made his famous Seventh of March speech; Sims and Burns had

not been marched down State Street and returned into slavery through the united power of the city and state — a most humiliating evidence of the then so-called Union sentiment of Massachusetts, but which was so much more nobly exemplified during the late rebellion.

The electric telegraph was in its infancy, the Atlantic cable not dreamed of. Since these gates closed upon him, the most gigantic rebellion ever inaugurated by man has been suppressed, the great question of the age solved, the shackles stricken from four million slaves, and the Declaration of Independence has become a living fact.

If the changes in the outside world have been great, they have not been less so within these walls. When he entered this prison it contained but three hundred and four cells, occupied by two hundred and eighty-eight inmates; we now have six hundred and sixty-six cells, including the hospital, and our number has reached six hundred. Since he crossed these thresholds, these massive doors have swung open and admitted three thousand four hundred and sixty-four convicts; two thousand three hundred and sixty-five have been discharged by expiration of sentence, five hundred and fifteen have been pardoned, and one hundred and twenty-four have died. Of the officers who were here when he came, two only remain.

We left our convict about ascending to the cupola of the prison — an elevation of about one hundred and fifty feet, and from which one of the finest views is obtained that ever the eye of man rested upon. On reaching the staging, he instinctively turned the glass

toward his old home; before him were spread out the fields in which he played when a boy, the river where he bathed in summer and skated in winter — the scene of his joys, his pleasures, and his sorrows. Silently he directed his gaze to other points, once familiar, but now hardly to be recognized, and less interesting to him; but he very soon came back to the starting-point, and, after taking one long, lingering look, he closed the glass, and, drawing a deep sigh, in a trembling voice exclaimed, "All changed, all changed!" and, without uttering another word, descended, and entered upon his usual labor as quietly as though nothing had happened. What his thoughts were none can tell. Whatever they might momentarily have been upon that occasion, they were sure to revert to the great overshadowing one of all — "in prison for life."

A young man, a notorious pickpocket, who was being conveyed from Fitchburg to the State Prison to serve a sentence of four years, escaped under the following circumstances: The officer who had him in charge, and who was seated with him, rose to speak to a gentleman sitting opposite, when the prisoner, shackled, and thus the danger of his attempt increased, quicker than thought sprang past him, opened the car-door, and leaped from the platform. The train was on a down grade, one hour behind time, and going at a speed of at least forty miles an hour; the officer, therefore, did not deem it prudent to follow. The train was stopped, and backed to the place; we expected to find him either disabled or dead; but

only his hat could be found. The shrubbery, however, indicated that he did not escape without some wounds and bruises, it being covered with blood; even a telegraph post was spattered with it. A thick wood on either side of the road enabled him to conceal himself, and make good his escape; and up to the present time he has succeeded in concealing himself from the officers of the law.

The following sketch has been put into the hands of the author since the previous pages were in type, and although not in chronological order, is inserted as an interesting record of prison experiences. The account is here printed as it originally appeared in the Boston Atlas.

"Howard Trask was committed to the jail in Boston on the 27th day of November, 1821, on a charge of the murder of Billy Williams, in the State Prison. He had been sentenced to the State Prison for a period of seven years, and committed the murder a few days previous to the expiration of the term of his imprisonment. He was indicted, and tried for the murder before the Supreme Judicial Court held at the close of the same year, and was acquitted by the jury on the ground of insanity. He was kept in confinement, and on the ninth of September in the year following, having apparently recovered his reason in some degree, he solicited the keeper to allow him a companion to read the Bible to him, stating that he could not read, and that he had heard of some passages in the word of God which he wished to learn. His request being deemed reasonable, was made known to several

of the prisoners, two of whom, committed on charges of crime, consented to be placed in his room. They read him such portions of the Bible as he named, and at night retired to rest.

"About two o'clock the next morning, the cry of murder resounded through the prison, and the voice of Trask, elevated above all, was heard, exclaiming, 'Victory, victory! Write to the seven churches in Ephesus.'

"When the doors were opened, the prisoners had hold of Trask by his arms, to prevent his doing them any more injury. They were both found to be dangerously wounded in the abdomen, and stated that they had been attacked by Trask whilst they were asleep. They lingered for about a fortnight and then died. For a long time after this event, Trask remained very surly, and would not speak to any one.

"On the night of January 23, 1823, Trask succeeded in effecting his escape from his cell, by removing a large stone directly below his window. It was discovered that he had drawn the large spikes which fastened the planks to the wall, and had very ingeniously formed from the contents of his night tub, the appearance of a spike-head, and placed it over the holes formed by the spikes, so that no one would have suspected that the spikes had been removed. He was retaken on the third night after his escape, only about eleven miles from the city. This fact seems conclusive in regard to his insanity. Otherwise, he would certainly have suceeded, it is probable, in getting farther off. His stupidity continued for some time after he was again lodged in jail.

"The relations of Trask say that when he was a boy, he was injured by the fall of a tree upon his head, and that at different times ever since, he has had strange turns. His ingenuity is almost unparalleled. He will contrive to open almost any lock with a piece of wire, or an old nail. He is also very cunning, and when you least suspect him, is pursuing some scheme to obtain his liberty. He will often talk rationally, but at other times states he has visions.

"About three years and a half ago, the keeper of the jail was informed by a prisoner that Trask had been out of his cell. He was removed to another apartment, and a strict search made. To the astonishment of everybody, seventeen different keys, made of pewter, were found, which would unlock the door of every cell in the arch where he was confined, and all the doors leading to the other two arches above. Three of the keys would unlock the door of his own cell. A variety of files, saws, and knives were discovered secreted in different parts of his cell, some of which were very ingeniously concealed in places carved out of the frame of his table and the cleats of a swing shelf. All the furniture of his room had to be broken up and split into small pieces, before all his instruments were found. For the last three years his behavior was peaceable and correct, and he made no attempt to escape. He is certainly a most singular and extraordinary being."

As the question is sometimes raised whether women are ever sent to our State Prison, it may be said that, in June, 1823, Hannah Atwood, aged twenty-four

years, Abigail Hill, and Rhoda Heath, nineteen each, were convicted in Boston of robbery, and sentenced to this prison for life. They were the last females received into the institution, and remained only about two years, when they were pardoned.

Since the prison was occupied in 1805, the whole number of persons committed is seven thousand six hundred and twenty-two, only forty-two of whom have escaped — about one half of one per cent; a large proportion of these escapes was previous to the building of the new prison in 1828. Considering the number, and the kind of employment, presenting as it does unusual facilities for aiding them, the result is highly creditable to the vigilance of the authorities.

PRISON DISCIPLINE.

CHAPTER IV.

PRISON DISCIPLINE.

HAVING given in previous chapters, as concisely as possible, the history of the prison, together with a few of the more striking personal incidents which have come under the author's notice during the years that he has been officially connected with it, it seems proper to present some reflections and opinions in regard to prison discipline, suggested by experience and observation. This is done with the earnest desire to contribute something to this great subject, which, second to none in importance in every aspect in which it can be viewed, whether in respect to the community at large or the individual convict, has received comparatively little thought or attention. If, in the remaining pages of this volume, the author can succeed in correcting any existing errors, or impart any new and practical views which shall look both towards the protection of society and the reformation of the criminal, his ambition will be fully realized. He does not claim that his opinions and conclusions, his theories and his practice, are free from defects; but he does feel that he has given to the subject careful attention, and that he suggests no plans which have not commended themselves to his approbation in actual trial.

The subject of prison discipline is one in which the community has taken but little interest for the last twenty-five years; in fact, since the dissolution of the Prison Discipline Society, and the death of Rev. Louis Dwight, but little interest has been manifested by any class in the welfare of the convict or the management of our prisons.

The first official declaration on the subject in this state was made by the board of directors of the prison in 1815, which has been referred to in the first chapter of this volume, page 36. As some of the views then presented have stood the test of time, and as showing clearly what opinions in regard to prison discipline were then held, the substance of that report may with propriety be given.

"The police of a prison ought to be as severe as the principles of humanity will possibly permit. The diet of a convict ought, though wholesome and sufficient to support the calls of nature, to be of the coarsest kind; his clothes, while calculated to keep him warm, ought to be so arranged as to be considered as a means of punishment; his mind ought to be reduced to a state of humiliation and discipline; all intercourse with each other, and more especially with the world, ought to be suppressed, except on the most urgent occasions; the interference of friends ought not to be allowed; if the convict wishes to commune with the world, let him do it by reading moral books; luxuries of all kinds ought to be withheld from him; newspapers, songs, or books of diversion ought never to be permitted to enter within the

walls of a prison; the prison should be considered as a world by itself, and its inhabitants know nothing of what is passing without its orbit. The rules and regulations ought to be carried into the most exact operation, and the smallest deviation from duty punished with severity.

"Whenever a convict transgresses, he should be punished until his mind is conquered; the labor assigned to him must be performed with faithfulness, and the slightest disposition to neglect it noticed and corrected.

"In fine, convicts ought to be brought to the situation of clay in the hands of the potter, subject to be moulded to whatever form the government of the prison may think necessary to secure the completion of the views of the legislature when establishing the institution.

"As the diet, clothing, and police of the convict ought to be transformed into indirect punishment, with a view of aiding the penitentiary branch, the conduct of the officers intrusted with the execution of the laws and oversight of their labor should be consistent, firm, and dignified; their conversation should be chaste, and their language mild and temperate. They should hold no unnecessary conversation with the convicts, much less indulge the least familiarity. They should bear in mind that, as a body, the convicts are depraved characters, constantly plotting mischief, and therefore should ever be on their guard against their machinations, by discountenancing, and breaking up the first dawnings of close conversation, or apparent combinations with each other, whether these appearances discover themselves in the work-

shops, the yard, or the cells. And they should be careful to report to the warden the slightest aberration from duty, either among the convicts or among their brother officers. They should consider the prison as a volcano, containing lava, which, if not kept in subjection, will destroy friends and foes; and therefore they should ever be on their guard against an eruption.

"That inasmuch as the treatment which prisoners should experience while under sentence should be a portion of the punishment, and in strict compliance with this principle, it is highly improper that convicts should receive any diet, clothing, or bedding, except what is allotted to them by the government of the institution; that every article that can be esteemed a luxury be withheld; that all intercourse with the world, as far as it is practicable, be prevented; that the most decided measures be adopted to prevent any conduct from being practised by them, either in the workshops, yard, or cells, which may injure the penitentiary system; that they be not allowed to converse with each other while at their work, or permitted to read any books except the Scriptures, those of a devotional kind, or calculated to improve the understanding; that the interference of friends or relatives be suppressed to the narrowest limits, and the rules and regulations of the prison enforced with the greatest exactitude; that contractors be restrained from secretly paying the convicts compensation for overwork or extra labor; that neither a discharged convict or any of his immediate family be allowed to visit the prison on any pretence whatever; that it be ever impressed

upon the mind of the convicts that there is no hope of pardon but through obedience and regular deportment."

It was also ordered "that the warden notify the convicts that they must deliver up to the keeper of the prison, within five days after their arrival, all moneys, bank bills, or other property in their possession, and that such bills or moneys, or other property thus delivered up, should be passed to their credit on the books of the prison, and restored to them on the expiration of their confinement; and in case any convict should refuse or neglect to comply with this order, and moneys or bank bills be found about his person, or in the cells, such moneys or bills were to be forfeited, and detained and held for the purpose of constituting a fund to provide clothing for destitute exemplary convicts on their restitution to society." And it was further "ordered, that the distinction in dress between the first, second, and third comers be abolished, and that the convicts, without distinction, be dressed in blue and red, as is provided by existing rules and regulations, except that those who have been here more than once, wear a number on their back expressive of the times they have been confined in the prison."

Mr. Dwight, before referred to, probably did more towards ameliorating the condition of our prisoners, and improving the discipline of our prisons, than any other person in the state or country. He may with propriety be called the Howard of America. Prevented by indisposition from following his profession as a minister of the gospel, and compelled to exercise much in the open air, he became gradually interested

in the subject to which he afterwards devoted so much of his time, in visiting the prisons throughout the country, collecting facts and statistics, and laying them before the public. He was instrumental in forming the Prison Discipline Society, and was its efficient secretary till his death.

The condition of the prisons in the various states at the time he began his labors was such as is difficult to believe at the present day. An extract from one of his letters, written at Washington, the capital of the nation, and dated January 28, 1825, will tell its own story.

"In one small room I have seen three women and four children. Two of these, white women, were wrapped in blankets, like Indian women, apparently with no other clothing. When I looked into the room, they sat down upon the floor to hide themselves. The children were three brothers and their little sister, the oldest twelve, and the youngest four years old,—committed to prison without a parent, to keep them from the hands of a *trader in human flesh*. They were the children of a white man and a black woman, his slave. Their father is dead, and gave *his own offspring* their freedom in his last will. But his executor, to save his REAL estate, would sell *his children* to pay his debts. The marshal of the District of Columbia, to save these children from *bondage*, committed them to *prison*. Here I saw them. The little girl was sick, and lying in faintness on the floor. The other children were standing around her. For that sick child there was no bed in the narrow and dark cell. Nothing was spread over her, and she had on but a single garment

The garments of the women and children are never washed while they remain in prison, and they are furnished with no water, except what is furnished in their cups. There are other circumstances, in relation to their misery in this room, which I cannot even mention. If there are not lessons of contentment and gratitude for us *in* this story, I have learned no such lessons. Do you ask me what *I* did for these children? I could do nothing. Places might have been found for them; but then a *prowling wolf* would claim them as *property*, and sell them as slaves. I have seen so many in similar circumstances, that I am constrained to go on my way with an assurance, that when I shall bring before the church of Christ a statement of what my eyes have seen, there will be a united and powerful effort in the United States to alleviate the miseries of prisons."

Much more of the same kind could be presented, if necessary, to show the abject state to which prisoners were reduced at this period. Mr. Dwight, like all reformers, was looked upon by the community, and even by his friends, as being a little quixotic in his attempts to introduce any reformatory measures into such an immense mass of sin and wretchedness as he had described; and the inquiry was frequently made of him, "What do you expect to do for them? And how do you intend to relieve them?" His answer generally was, "I cannot tell *now* in what way I shall be able to do this. I only know that they are the most miserable and degraded of the human race, and that no one in this country is doing anything for their relief. This is enough to make *me* wish to do what I can for them."

We can hardly realize at this day that, within the last half century, in our own enlightened, humane, and Christian New England, a place for the confinement of human beings, as described below, could be found. The description, believed to be correct in its details, is copied from a pamphlet in the author's possession.

"In the northern part of the good State of Connecticut, an hour's toilsome drive westward from the river of the same name, towers a precipitous and craggy ridge of rocks, — a spur from the mountain chain that traverses nearly the entire length of New England. On the western declivity of this ridge, about a century ago, an English company, chartered by the crown, commenced excavations for copper ore. Two ships were freighted, at great expense, with the unwrought material, and sailed for the old country. Neither of them reached its destination. One became the prize of French cruisers, the other of the avaricious sea. The mining company, disheartened by the addition of these losses to their heavy outlays, abandoned their whole venture, leaving behind them the cavernous pits in which their laborers had wrought. In the exigencies of the revolutionary war, these caverns were occupied as places of confinement for state convicts; and in 1790, by an act of the General Assembly of Connecticut, a gloomy and frowning pile of buildings, closely resembling the fortresses and keep of feudal times, was erected over these subterranean dens, and the establishment was inaugurated as a Newgate prison. A visitor to this American Bastile, in 1807, thus describes its internal *régime:* —

"'On being admitted into the jail yard, I found a sentry under arms within the gate, and eight soldiers drawn up in a line in front of the jailer's house. A bell, summoning the prisoners to work, had already rung, and in a few moments they began to make their appearance. They came in irregular numbers, — sometimes two or three together, and sometimes a single one alone; but, whenever one or more were about to cross the yard to the smithery, the soldiers were ordered to present, in readiness to fire. The prisoners were heavily ironed and secured, both by handcuffs and fetters, and, being therefore unable to walk, could only make their way by a sort of jump or hop. On entering the smithery, some went to the sides of the forges, where collars, dependent by iron chains from the roof, were fastened round their necks; and others were chained in pairs to wheelbarrows.' And in this manner, under the watch of armed sentries, the prisoners performed their daily tasks. Our visitor felt curious to inspect the cells where the convicts lodged at night. He was conducted to the mouth of one of the old mining-shafts, which he found closed by a ponderous trap-door. 'The trap-door being lifted,' he continues, 'I went down an iron ladder, perpendicularly fixed, to the depth of fifty feet. From the foot of the ladder, a rough, narrow, and low passage descends still deeper, till it terminates at a well of clear water, over which is an air-shaft, seventy feet in height, and guarded at its mouth, which is within the jail yard, by a hatch of iron. The cells are near the wall, but at different depths beneath the surface; none, perhaps, exceeded sixty feet. They are small,

rugged, and accommodated with wooden berths and some straw. The straw was wet, and there was much humidity in every part of this obscure region. Into these cells the prisoners are dismissed at four o'clock in the afternoon every day, without exception, and at all seasons of the year. They descend in their fetters and handcuffs; and at four o'clock in the morning they ascend the iron ladder, climbing it as well as they can by the aid of their fettered limbs.' "

Let any one visit now the prisons which he visited in that year, 1825, and contrast their present condition with what it was at that time, and the devotion of his life to the cause of the prisoner would not seem a quixotic scheme.

At the present time the importance of this question seems to be better understood and appreciated, and a desire for information relative to the management of our prisons is increasing throughout the country.

This is due in a great measure to the agitation, discussion, and investigations of this subject by the Philadelphia Prison Discipline Society, the New York Association, and our Board of State Charities. The result has been, that a greater variety of facts, reliable statistics, and general information has been given the public this year than ever before.

Unfortunately, the standard by which the management of a prison is determined, not only by the people generally, but even by some of the above associations, is the pecuniary income to the state; and the superintendent or warden who can point to the best record in this particular is admitted to be the most successful, although the system or means by which this result was

brought about might not meet their candid approbation in any one particular.

One of the most important questions at the present time is the system of prison labor. In most of the prisons throughout the country, the contract system, as it is termed, exists; that is, the letting of the men to contractors at a definite sum per day, they furnishing tools, benches, power, and instruction, and the state shop-room, heating, and officers. The system varies in different states. In some, the contractor agrees to feed, clothe, and support the convicts, pay the officers' salaries, and all other expenses of the prison, in return for their labor; in others, a certain amount per day for the men, and pay for the officers of the shops, who are to act as instructors. In these institutions the reformation of the convict is not considered. Punishment and profit, or at least the exemption of the state from any pecuniary responsibility in regard to their prisoners, are the objects to be gained.

In Massachusetts the system pursued differs in some respects from all the others, and, although not perfect, it approaches much nearer the ideal theory than is true of any other state in the country.

It is thought by some that this system interferes with the discipline of the prison. Doubtless it does to some extent, but not more than any other where outside parties are introduced. It would be necessary should the state carry on business on its own account, to have the same number of instructors and outside laborers that are employed at the present time; and the rules in regard to their appointment and government could not be more strict or effective than at present.

The authorities now retain the entire and full con-

trol of the discipline of the convicts, and no outside party is admitted in any capacity but such as is approved by the warden, and they are to be governed by the following rule: —

"Contractors, their agents or foremen, are not permitted to have any other conversation with the convicts but such as may be necessary to instruct them in their work, and shall not, under any circumstances, inflict any punishment, in any manner, upon any convict whatever. They are to report to the officers having charge of the convicts in their departments, all violations of the rules and regulations of the prison. Their intercourse with the officers of the shops shall be such only as is necessarily connected with the prosecution of the business under their charge. No foreman or agent shall be employed by a contractor without first obtaining the consent of the warden; and no person other than the necessary foreman or agent shall be employed with the convicts in the prison, and he or they shall be removable at the pleasure of the warden. If a convict presume to speak to a contractor, his agent, or others in his employ, on subjects not relating to the work or business on which he may be engaged, they are bound to report such conduct without delay. Contractors, or their agents, are not permitted to allow any perquisite, emolument, or reward of any kind, to the convicts; nor can they be permitted to give them a book, or any other thing, or grant them any favor, without permission of the warden."

The following is an extract from Chapter CLXXIX. of the General Statutes of the Commonwealth upon this subject: —

"Whoever delivers, or procures to be delivered, or has in his possession with intent to deliver, to a convict confined in the State Prison, or deposits or conceals in or about the prison, or the dependencies thereof, or in any boat, carriage, or other vehicle, going into the premises belonging to the prison, any article or thing, with intent that a convict confined in the prison shall obtain or receive the same, — and whoever receives from a convict any article or thing with intent to convey the same out of the prison, contrary to the rules and regulations thereof, and without the knowledge and permission of the warden or board of inspectors, — shall be punished by imprisonment in the State Prison or jail not exceeding two years, or by a fine not exceeding five hundred dollars."

The questions are often asked, if the profits of the contractors are not large; and if the various branches could not be carried on by the state, and thus secure those profits to the prison. Prison labor, at the prices usually paid for it, is, no doubt, remunerative; and yet it is a difficult matter to convince capitalists of the fact: business men are very reluctant to make contracts even at a low price, notwithstanding the privileges they receive in the way of rents, &c. In a prison with a small number of convicts, doubtless some kinds of work might be carried on by the state profitably; but in one like ours, with five hundred and fifty inmates, it would be quite impossible; at least, without an entire change in the kind of labor. A man might be a very proper person for warden, and yet not have sufficient knowledge of the several branches of business now carried on in the prison to

manage them successfully. The statutes establishing and regulating this prison say that "the warden shall not be employed in any business which does not pertain to the duties of his office." An examination of those duties would satisfy any reasonable person that the warden who faithfully discharged them would have time or inclination for little else.

Again: it would require a capital of at least eight hundred thousand dollars, to be furnished by the state, the creating of an army of officers, agents, salesmen, &c., and the establishing of an uncertain system, which would not relieve, but augment, many evils from which we suffer at the present time. So that the system of prison labor, as now conducted in this state, in spite of some defects, seems, in the judgment of the warden, satisfactory in its general results, as well as in the details attending its practical operation.

A feature in discipline, to which reference has been made on previous pages, is thus advocated in my report of 1863: —

"It cannot be denied that imprisonment, under the most favorable circumstances, has a tendency to undermine and destroy the constitution. Few men — it matters not how strong or physically developed they may be — can live through a ten years' sentence: the necessary restriction, the monotony surrounding them, the deprivation of almost all social enjoyment, the indulgence in secret vice, the hopes and fears in regard to executive clemency, and the looking forward to long, tedious years of confinement, — all have a tendency to depress the spirits, injure the health, and break down the strongest constitution.

"In this connection the thought occurs, 'Can no means be devised by which some of the evils named can be obviated, or softened, without interfering with the great and fundamental object of the prison; viz., the reformation and punishment of its inmates?' My opinion, founded upon experience and a close and careful examination of the subject, is, that there can. I may be somewhat in advance of public opinion, or of the views entertained by those wedded to ideas now fast becoming obsolete; but the experiment tried on the Fourth of July and the late national Thanksgiving Day, of allowing the inmates an hour of almost unrestricted recreation and enjoyment together in the yard, has settled the matter conclusively in my mind. Whether we view it in the light of enjoyment by the men, the great propriety observed, the good feeling engendered, or the subsequent effect upon the discipline, in every point of view it was a perfect success.

"The devoting an hour occasionally in the same way, under proper rules and regulations, would, I am certain, prove the most important measure, in a sanitary point of view, that could be adopted. It would have a tendency to break the monotony of their lives, give them the necessary out-door exercise so requisite to health, furnish them with food for thought and contemplation, and withdraw the mind, in a great degree, from themselves and the imaginary wrongs over which they brood and mope, until it becomes to them almost a reality, terminating too frequently in insanity or death.

"Again: it could be made instrumental in enforcing the discipline of the prison, by allowing those only

the privilege who behaved well. I can imagine no evil that could possibly arise from it, but, on the other hand, much good."

The practical effect of a holiday season, such as is here advocated, may be seen in the following extracts from letters written by prisoners to their friends. Names are, of course, omitted.

"The warden told the men he would give them an hour's liberty out in the yard, free from all restraint, and that they might enjoy themselves in any way they liked best. So, after chapel service, we all went into the yard. I sat down alone by myself, for I felt a curiosity to see how the men would behave; and I am glad to say they all behaved themselves with the utmost propriety. The first thing they did was to give three cheers for the warden; then they all scattered like school-boys; some went to kicking football, others went to dancing; one man played on a violin; and they had a regular break-down; others were walking or standing in groups conversing with each other, probably old acquaintances, that had not exchanged a word for years; they seemed to talk for dear life; some were reading the news, for the warden had newspapers tacked up in the yard, with the latest news from the seat of war. There were some ladies and gentlemen present, who seemed to take an interest in the recreation. The warden had a band of musicians come into the yard, and they played during the hour; the music sounded very delightfully. In short, everything went off pleasantly, and in order, and I perceive it had a very good effect on the

prisoners; they all appear more cheerful and contented since. After men have been long confined under restraint, their minds become very much soured; they feel hard towards their keepers and everybody else; but such a privilege as that on the Fourth, or any other indulgence granted, does much to soften down those feelings and make them better men. This is a privilege which has never been granted before. Our present warden has done a great deal for the benefit and comfort of the prisoners since he has been here. It was by his instrumentality that tobacco was allowed to come into the prison — a blessing that the prisoner prizes next to his liberty. He has had large windows made in the prison, which make it light and pleasant, and take away the gloomy appearance of the prison it had before. He has done a great deal for the welfare of the prisoners. They do not allow them to have newspapers here yet, but I think the time will come when they will, for they could do no harm, but would benefit them much, and save a great deal of punishment."

"On the Fourth of July I had a foretaste of that liberty, if God spares my life, I will soon enjoy. Our worthy warden graciously permitted the reins of regulation and discipline to relax, and for one joyous hour we had the free range of the yard, with necessary exceptions, and the liberty of enjoying ourselves as best we might. . . . We repaired to the yard; good-humor beamed upon the faces of all, none more so than upon that of your scapegrace son. All was agreeably enhanced by listening to the enlivening

strains of harmony discoursed by a juvenile brass band stationed in the yard. Papers, tacked up in conspicuous places, were provided for those who wished to see what was going on in the outside world, and were not already posted. A football, also, for the more boisterous; and it seemed to relieve them of their combativeness, if I was to judge from their smiling faces. I myself bestowed a few kicks, but was obliged to desist on account of shortness of wind, and a rent made in my inexpressibles. Some looked at jig-dancing, some strolled about the yard, some joined an eccentric old fellow, who essayed to get up a military review, &c."

"... The associations around me tend to restrain liveliness of expression and vivacity of feeling, and the influence is likely to communicate itself to my correspondence; but yesterday, on the glorious Fourth, that restraint was for a while taken off. We marched to the yard, were dismissed, each at liberty to do, *consistently*, as he pleased; to laugh, to run, to jump, to whistle, to sing, to dance, to 'go in,' and have a good time generally, — all of which I did. Then there was football and fiddle-playing, and a brass band that performed for our especial benefit; and we played at soldiers, marched and countermarched; and then the old captain, who was drilling, wanted us to form by battalions, and wheel by sections, into a hollow square, and we didn't understand him, so couldn't do it, and he gave it up in despair. Such fun and merriment as we had! I wish you could have seen us. Such a scene! Such hand-shaking and

talking, such good-humor and happiness, that you would have thought us anything but society's *worst* friends! But we felt the liberty the day immortalizes, and were therefore jubilant. But all things have an ending, and so did our pleasure. But it was, I assure you, gratefully acknowledged and appreciated by all. Its pleasant influence has not departed from me yet."

". . . The warden let the whole of us go into the yard on the Fourth, and enjoy ourselves the best way we could for an hour. There was a band that played near all the time; some kicked football, some wrestled, some danced, but all hands were happy and forgot their troubles; and if I had one hour taken off from my time for every time the warden's name was mentioned, my sentence would be short; for it was about the first and the last word that every man spoke. And long may he live."

". . . We had a glorious Fourth of July. Haven't we had a good time! I guess this old prison never saw the like before. You see our beloved warden gave us freedom for two hours out in the yard, and if we didn't enjoy ourselves I should like to know who did. We began with three cheers, and then some of us kicked football, some read the newspaper, some listened to the music, for we had a band; some had a dance, for we had a fiddle, too. The band was made up by boys, and they played first rate. I kicked football, and am as lame as an old horse to-day. Yes, old boy, we were as free as if outside. There was never such a thing heard of

before, and I hope the warden will live long, and stay here too. God bless him. And I must say we all behaved tip-top. We did not have a fight, nor an angry word all the time. I think I enjoyed this Fourth better than any I ever remember."

"I don't know when I have spent a Fourth of July more pleasantly than the one of yesterday. I will tell you how it was. The warden, to show how he felt for the men, . . . gave us an hour and a half in the yard, throwing off all restraints that he possibly could, without opening the gates; he gave us a football to kick, told the men they might talk, laugh, sing, or dance, as they felt disposed, and was even so thoughtful as to paste up round the yard daily papers containing the war news and other things, so that we might know something of what was going on in the world outside; and all the time a fine band of music was playing. I spent my time in talking to my acquaintance, except when the ball came our way Dear Maria, I never knew the happiness before of using the tongue. Don't you think it must have been a happy hour?" &c.

"We had a great day over here yesterday. We were in the yard an hour or two. We had a band of music, with drums and bugles; and we had fiddles, and dancing, and singing, and a football, and plenty to kick it; and all who wanted marched around the yard with the band to play for them. We did march for a while, but our old captain allowed that soldiering in here was hard work, and gave up his command,

and went to kicking football. It was a great day to me. I felt as though the heavens were opened, and all free. I shall never forget this Fourth, if I live to be an old man. It made such an impression on me that my heart and all my body felt as light as a feather."

"If we were in State Prison, we had a merry and a happy time yesterday, and I think we enjoyed ourselves better than if we had been on Boston Common. We had a band of music to play for us, and football and other amusements were provided. We were treated like gentlemen."

"We had a first-rate time yesterday. The warden was kind enough to let us do as we pleased for an hour or more in the yard. We had music, and dancing, and football, and a foot-race, and the Boston Herald to read, and I had a talk with all the boys."

"All the prisoners had the privilege of a free hour in the yard on the Fourth. We were allowed to talk, kick football, and enjoy ourselves as much as we could. We had a band of music, too, and, when our time was up, it was remarked by officers and men how well we had all behaved. It was the greatest privilege ever given since I have been here."

"We had a fine time here yesterday by the kind permission of the warden. We had games, and a band of music; and when we got through, we marched to the prison, and got our dinner. Boiled halibut,

with gravy, and spinage, and plum-pudding, and other good things — more than we could eat. I tell you we had a high time!"

One prisoner addressed Rev. Mr. Greenwood in a "poem" of twenty-eight stanzas. A few are quoted as a specimen: —

"Well, I've had a glad time, and to me it appears
My happiest hour for more than four years;
Our warden caused this, — to his praise be it said, —
He's regarded the promptings of a sound heart and head.

"It's a saying quite homely, but true, in the main,
'There's no great loss here without some small gain;'
The words loss and gain we'll transpose for to-day,
For we lost our oration, but gained a grand play.

"Such a time as we've had! such a shaking of hands!
Such a freedom from all domineering commands!
Such a mingling of friends, so long kept apart,
Was cheering to each: — it gladdened my heart.

"Not one ugly word was heard in the crowd;
No fighting nor shouting unseemingly loud;
But in the actions of each this fact might be traced —
There's confidence here that's not been misplaced.

"For those who took pleasure in the news of the day,
Some papers were posted in a 'bulletin' way;
A few women (dear souls) could see and be seen,
And a 'brass band' by boys played out on the green.

"A football was there, and 'twas kicked for a while;
Some marched round the yard, eight deep in a file;
The dancers attention to an old fiddle lent,
But on personal matters the most seemed intent.

"This sport was soon over; and, as we marched in,
'Sweet Home' was struck up by the band on the green;
But reflections on this were soon banished complete
By the sight of the prisoner's holiday treat.

"Plum-pudding and halibut, lettuce and greens,
And a nondescript drink, perhaps used by queens,
Was the substance of what, as I've said, met our eye;
But — my paper's all used, and I bid you 'good by.'"

Are not such extracts enough to prove the wisdom of the plan inaugurated?

One of the most perplexing matters the authorities of the prison have to contend with is the inequality of sentences. Each of our judges seems to have a standard of his own by which he is guided; and a great diversity of opinion exists among them upon this subject. Of course it is impossible so to regulate sentences that equal and exact justice shall be administered in each individual case, as crimes of the same class vary so much in the aggravating circumstances attending them. I do not wish to be understood as favoring either of the extremes, but simply to point out the fact, and the influence it has upon the discipline of the prison.

To illustrate this point, I refer to the sentences for passing counterfeit money; the aggravation in such cases being only in the amount passed, or in the reputation of the one passing it.

Of those in the prison at this time (1868) for passing one counterfeit bill, their sentences vary from one to five years; for passing two bills, from two to ten years. There is one man, now in prison, who pleaded guilty to passing three counterfeit five-dollar bills, who

was sentenced to fifteen years; another, who pleaded guilty to passing four twenty-dollar bills, who was sentenced to but four years; one man, for having in his possession ten counterfeit bank bills, was sentenced to one year; another, for the same offence, to twelve years. These men may work near each other, and, of course, learn the facts; and it can be easily imagined that great dissatisfaction would be engendered, and the discipline of the prison suffer in consequence. No logic can convince a man that justice requires him to endure fifteen years' imprisonment for passing fifteen dollars in bad money, when his neighbor serves but four years for passing eighty dollars, everything else being equal. Scarcely a week passes that the authorities are not appealed to in regard to such cases. It is in vain for us to say that we are not responsible for it. Many of these men are friendless, and naturally look to the warden for advice and assistance.

Again: there are cases where it would seem as if the prosecuting officer was desirous of making the most out of the criminals by cutting up and dividing a crime into several parts, and trying the party upon each one of them separately. As an instance of this kind, a young man was arrested for manufacturing counterfeit money: he pleaded guilty, and was sentenced to this prison for five years. He was then arraigned for having the dies and implements for counterfeiting bank bills in his possession, to which he pleaded guilty, and received an additional sentence of five years. He was next charged with having counterfeit bank bills in his possession, and again pleaded

guilty, and was sentenced for another five years, making fifteen years in all. Another bill for passing the money had been found against him, but this was not pressed, the officers thinking, perhaps, that about all that justice required had been made out of the case.

Another important question connected with prison discipline is that of pardons. The writer's views upon this subject have been frequently recorded, and he feels it his duty here to enter his solemn protest against this custom, which has become so firmly established; and in doing so, he wishes it clearly understood that no disrespect is intended towards the present or any past administration. The pressure which is often brought to bear upon the authorities, from influential parties, — fathers, mothers, wives, and children, — is very great, and the sophistry, chicanery, and trickery, which are so often resorted to, to create sympathy, and leave a false impression, and the difficulty of saying "No," especially when so many cases can be referred to as precedents, — all add to the difficulties attending the subject. It is the bane of good government in a prison. Demoralization, to a greater or less extent, is the inevitable result; and the evil to the community, arising from this practice, is incalculable. The facilities for obtaining pardons in our state are so great, although they are less than in many other states, that it has become the all-engrossing thought of the convicts; the probability and expectation are frequently discussed on their way to the prison; it is the theme of nine tenths of the letters written, and the personal interviews with their friends; it preys upon the prisoners day and night.

"Hope deferred maketh the heart sick." A more truthful illustration of the proverb cannot be found than in the situation of a prisoner whose case is before the executive for consideration. It frequently unfits him for everything, destroying the appetite, and rendering him unable to sleep or labor; and when unsuccessful, serious consequences have often been the result.

One great objection to the use of the pardoning power is the liability of making mistakes. The chances of success, whether meritorious or not, of the few who can command money and influential friends, are certainly better than with the large majority of prisoners, who are entirely destitute of these advantages. That A or B may be pardoned is of little consequence to the outside world, but its effect is quite another thing here, especially if the change, as is often the case, is to leave behind them C and D, who have served longer for a less offence than theirs. The effect upon the discipline cannot be otherwise than deleterious; and the convicts get the impression that the authorities of the prison have more or less to do with every pardon; at least, that their assent or approval is necessary.

There can be no doubt that, just in proportion as expectations of release are removed, is the prisoner's happiness advanced. Consequently, the less the number of pardons, the greater always is the contentment, and the better are the hopes of good order, cheerful submission, and of moral, mental, and religious improvement. The most salutary ingredient of punishment is its certainty. The consequences of committing

crime should be fully understood. Nothing should be left to chance. If convicted, the criminal should be made to feel that the sentence will assuredly be carried into effect. It is not the penalty that deters men from committing crime. It is the chances of conviction, and the certainty, if convicted, that the sentence will be executed. And just in proportion as this is made more or less certain will crime exist in a community.

It would not be advisable to shut out hope even from the greatest criminal; yet the obtaining a pardon should be made so difficult and uncertain that the chances of success would not be considered when a man is contemplating crime.

Long or extraordinary sentences need seldom be feared; but, as far as practicable, sentences should be consistent and uniform, with the understanding that, with the exception of what time may be gained by good behavior, the full term is to be served. Let this theory be established, and a blessing will be conferred upon the convict, by relieving his mind from the terrible suspense and anxiety he is now subjected to, and an important step will be taken towards the suppression of crime.

Another cause for the existence and development of crime in our community is in the ease and facility with which stolen property of every description can be disposed of. Many of our prisoners commence their criminal career by taking small articles, easily converted into cash at the pawnbrokers' and old junk-shops. Scores of young men have told me that they could trace their fall directly to the allurements and encouragements held out to them to steal by a some-

what celebrated broker, whose office was on Sudbury Street, in Boston, and who, a few years since, "left his country for his country's good." These nurseries of crime exist at the present time; the city is full of them; and, if in any way they could be suppressed, or controlled so as to prevent the evils now attending them, a great and important step would be taken towards the prevention of crime among the youth growing up in our midst.

"Do away with the receiver, and the thief's occupation is gone," is the unanimous testimony of those who get into prison. But few would steal if unable to turn their plunder into cash; and just in proportion as that can be rendered difficult will the motive for committing crime be removed.

The first step towards eradicating this evil would be to apply the law to the receiver with the same promptness as to the thief, and not allow him, as is done nine times out of ten, to continue his case, from term to term, until it is forgotten by the community, and finally settled for a small sum of money. During the ten and a half years that I have been connected with this prison, not one of the numerous aristocratic receivers, who have at various times been arrested, have been sentenced here. The law has been, it would seem, sufficiently vindicated by occasionally sentencing to the State Prison some poor fellow, who, without friends or money to assist him, had been convicted of a petty violation of the law.

How shall the necessary discipline in a prison be enforced? is a question often asked. A perfect and satisfactory method is still a desideratum. Various

kinds of punishments are resorted to in the different states to accomplish the end, but all are to a greater or less extent objectionable. The theory of rewards is not as yet sufficiently recognized to make them effective.

The following are some of the punishments now in use in some prisons: —

Maine. — The dark cell and lash.

New Hampshire. — The same.

Vermont. — Dark cell, iron jacket, and lash.

Rhode Island. — The dark cell.

Connecticut. — Dark cell and lash.

New York. — Dark cell, shower-bath, shaving the head, iron cap, bucking, and yoke, or crucifix.

In Massachusetts the dark cell has been the only punishment for the last eleven years. This in all cases has been found sufficient, and is, doubtless, the least objectionable of any system now in use. I disapprove of it, however, for the following reasons: First, that, in darkening the cell, air must necessarily be excluded, and needful ventilation prevented. The constitution of the convict, who is frequently, or for any length of time, subjected to this discipline, must unavoidably become impaired. Secondly, the labor for the time he is shut up is lost to the state.

To find a substitute that will prove effective, and free from the above objections, is certainly very desirable. Experience and observation show conclusively that a system of marks can be introduced, which will, in a great measure, supersede all other punishments.

Starting with the principle that, next to the protection of society, the reformation of the criminal is

the grand object in view, and that kindness and rewards are the agencies to be employed, I would suggest, for good conduct and industry, that the convict should be entitled to one good mark a month, for which should be deducted one day for every year of his sentence, not to exceed ten a month. For every bad mark, the same number of days to be added to his sentence; this instead of the time now passed in the dark cell. For every month when neither good nor bad marks were received, nothing should be gained or lost. The warden should have authority to bestow additional good marks on Christmas, and other occasions, for meritorious conduct. No pardons should be granted except upon the recommendation of the authorities of the prison, and should be subject to revocation by the governor and council at any time before the original sentence would expire. If pardoned and reconvicted, to serve the unexpired term of the first sentence; and if regularly discharged and reconvicted, the time gained on their first sentence should be added to the second.

The principal objection to the above plan, I can readily perceive, would be, that it places too great power in the authorities of the prison. But is it not as safe to intrust one man with power as another, if the party can be selected and held responsible? Cannot a man be found who may be trusted with these, as well as a judge who is intrusted with still greater powers? In Massachusetts, a judge can, in some cases, impose a fine, a sentence of a few months in jail, or life in the State Prison for the same offence, at his pleasure; and yet it is never intimated that his authority is too great, or that it is ever abused.

Again: it would only be extending the powers many wardens now possess, either directly or indirectly, in our commutation laws. The Massachusetts law is as follows: —

"The warden shall keep a record of the conduct of each convict; and for each month that a convict appears by such record to have faithfully observed al. the rules and requirements of the prison, and not to have been subjected to punishment, there shall, with the consent of the governor and council, be deducted from the term or terms of his sentence as follows: From a term of less than three years, one day; from a term of three and less than seven years, two days; from a term of seven and less than ten years, four days; from a term of ten years and upwards, five days."

To illustrate the working of this law, it will be noted, that for a term of ten years, a convict, if he observes all the rules of the prison, and is not punished, may be allowed six hundred days; thus reducing his sentence to about eight years and four months. We start, then, with the understanding that his sentence is really but eight years and four months, and the practice has been to add a day to this term for every day he is shut up for punishment. This is carefully explained to the convict upon his admission to the prison, and he therefore understands that every day's punishment in fact adds one to his sentence. The extent of his punishment depends upon himself; he has only to express a wish to go to work, and promise to obey the rules, to be released; nothing humiliating is ever required of him. It will be ob-

served, that the warden has the power now of controlling one year and eight months of the time of every man sentenced to ten, and three years and four months of every one sentenced to twenty years in this prison. No new power would be conferred upon him by the plan suggested; it would only be extending a principle admitted by every one familiar with its workings to have proved eminently successful in prison discipline. But some object to all commutation laws. They think the principle wrong; that no promises of rewards, or mitigation of their condition, should be made or held out to these men; that they should be compelled, and not hired, to behave well. But is it inconsistent with divine teaching? Are not the Scriptures filled with promises of reward to those who repent and keep God's laws? It ill becomes us to criticise or raise our voices against principles enunciated from on high; it is too much like thanking God that we are not like other men. We are all sinners before God, and it does not necessarily follow, because men are found inside of prison walls, that they are the only or the greatest sinners, or that they are to be excluded altogether, or reach heaven by some other way or means than those taken by the outside world? Ten and a half years of observation and intercourse with these men have had a tendency to convince me that they are very like people outside, subject to the same feelings and desires, influenced and actuated by the same motives, and to be governed by the same principles; and if saved at last, it must be by the same Saviour upon whom all should rely.

Above all, the convict should be surrounded, in all

cases, with every good influence possible, such as religious and secular instruction, and lectures, holidays, and privileges of various kinds, to be earned by good conduct. Great care should be taken that none but gentlemanly, humane, and reliable persons should be allowed to come in contact with them as officers or instructors, for as much depends upon their influence as on all the other agencies united.

The idea that it is of little consequence who has charge of these men, providing they are sufficiently muscular and athletic to cause them to be feared, is a great mistake: these accomplishments are very desirable, but of secondary consideration: it is brains, not muscle, that is required. They are not governed by fear, or force, but by the intellect; they are quick to discover and take advantage of the slightest failing of an officer. It is therefore absolutely necessary that he should be a true and reliable man, capable of controlling his temper and governing himself under all circumstances, discharging his duties firmly, faithfully, and unostentatiously, avoiding the slightest familiarity; by so doing he can mould them into any shape he pleases. If, on the other hand, he is irritable, vacillating, open to temptation, or in any way unreliable, he will certainly fail, and confusion and disorder reign wherever he has a nominal control.

An officer should be above suspicion; and at no time, more especially when on duty, should his breath be tainted with that scourge of our race, alcohol, which has been instrumental in consigning to this prison, either directly or indirectly, at least eight tenths of its inmates; for from that moment he becomes to the

convict an object of contempt, and utterly without influence for good; one who may be feared and obeyed, but not respected.

Again: he should be a man in whose integrity the authorities have implicit confidence; for through him are made all the reports for misconduct, and to err or cause a prisoner to be punished undeservedly would be a serious wrong.

I have no doubt that at least eighty per cent. of all convicted of crime may be reclaimed and made useful members of society by proper discipline. It cannot be accomplished by rash or cruel treatment, or any other process which has a tendency to crush out and destroy self-respect. The true theory is to fan into a blaze the smallest spark of manhood they may bring with them into the prison; they must be assisted and encouraged in every possible way; an opportunity should be afforded them to work out their own redemption — to do something for themselves; and this can be done only in some way similar to that here suggested. I feel assured that the convict who follows such a course for a series of years, although he may commence with selfish motives, will acquire, almost imperceptibly, habits of industry, decision of character, and a control over himself which will not desert him when he goes back to mingle with the world.

What is the Massachusetts system of prison discipline, and how does it differ from that of other states, are questions often asked of me; and I have thought it might not be uninteresting to give the following brief description of it.

Prisoners sentenced to this institution are brought from the different jails by the warden or one of his

officers; the actual expenses incurred are paid from the prison funds; the average cost for the last ten years has been about one dollar and fifty cents per man. When received at the prison, they are taken immediately to the bath-room, where they bathe, are shaved, and have their hair cut, provided with a new suit of clothes made of blue satinet, stout shoes, two pairs of stockings, two shirts, two pairs of drawers, undershirts, and a towel, all marked with their names; then taken to their cell to remain till their "solitary" has expired — usually one day. Before being placed at work, they are instructed by the deputy warden in regard to the rules; every explanation is mildly, carefully, and understandingly made to them; they are then taken to the shop. In their cell they will find the printed rules, an iron bedstead which turns up by the side of the wall, a palm-leaf mattress and pillow with cotton sheets, pillow-slip, blankets, and spread, a small table and stool, a shelf, Bible, catalogue of the books in the library, a bottle of vinegar, pepper, salt, knife and fork, and spoon. And this is to be their home for one year, or life, according to the term of their sentence. In the course of a day or two, the convict is sent for by the warden, who inquires into his past history, his parents and family, counselling and advising him as to his future course, encouraging and assuring him of good and kind treatment so long as he shall deserve it — an interview that rarely ends without bringing the tears into the eyes of the most hardened, and the formation of resolutions which have a strong influence upon their future lives. The chaplain also takes an early opportunity to converse with

them, in which he endeavors to impress upon their minds the same ideas, with such other suggestions as he thinks necessary.

In the workshops, which are large, pleasant, and well-ventilated, the windows filled with plants and flowers, which they are permitted to cultivate, he is received by the officer in charge — one who is selected for his peculiar fitness for the responsible situation; one who can govern himself, kind-hearted, straightforward, mild and firm in his intercourse with them, listening patiently to all their real or imaginary grievances, advising and encouraging them. Harsh or irritating language is not permitted under any circumstances. Should he violate any of the rules, he is called up by the officer, who quietly points out the error, and cautions him against a repetition; if it occurs, he is left out of his cell at night when the others are locked up, and his case is reported to the deputy warden by the officer; an opportunity is given him to make any explanation or excuse he may have; if satisfactory, he is allowed to go to his room; if not, and it is his first offence, he is dismissed with a reprimand. For the second offence, he is placed in a dark cell (our only punishment for the last eleven years), without furniture, save a board, and blanket, and the necessary buckets. Here he remains until he asks to come out: an officer is always within hearing, night and day. Nothing humiliating is ever required of him; a simple intimation that the offence shall not be repeated is all that is necessary.

Our commutation law has a great influence upon our discipline. One not familiar with the subject

would be surprised to know how much they think of one day's reduction, even in a long sentence. Very many are sent to this and other prisons for crimes committed in a momentary passion: an uncontrollable temper has been the ruin of thousands. A prisoner, knowing that his confinement will be extended by any outbreak of the kind, will strive hard to curb it; although he may find it difficult at first, yet he is pretty certain to succeed in the end; and at the expiration of every month he has an additional motive for good conduct, as all that he has gained may be jeopardized by yielding. This discipline, continued through a series of years, must have a good effect upon the man; he gradually, and almost imperceptibly, acquires perfect control over himself — a habit that will not desert him when he goes forth into the world again.

In summer the prisoners leave their cells at five o'clock in the morning for the workshops, where they wash, &c., work till half past six, and then return to their rooms for breakfast. Thirty-five minutes are allowed for this purpose; they then repair to the chapel. The daily service consists of reading the Scripture, with occasionally some suitable remarks from the chaplain, prayer, and singing by the choir, composed of convicts. Returning to the workshops, they remain till twelve o'clock; an hour is allowed them for dinner, which, like their breakfast, is eaten in their rooms. At six P. M. their work is finished for the day. They are shaved twice a week, hair cut once a quarter, bathe once a week in summer, — those who prefer it, in the salt water, in a large tank or basin capable of accom-

modating from twenty-five to thirty at one time, into which the tide flows. At these times all restraint is thrown off, and for fifteen or twenty minutes they are allowed to enjoy themselves by diving, swimming, and such games and gambols as suit their taste. On Sunday they leave their cells at seven o'clock in the morning, going to the workshops to wash themselves; returning, take their breakfast, and are locked up till ten o'clock: at that hour our Sabbath school commences; we have usually from seventy to ninety in attendance. As we are not able to accommodate all, preference is more particularly given to those who are unable to read, who are taught. At eleven, services are held in the chapel, closing at twelve. They then take their dinner and supper with them, and are locked up for the remainder of the day. On holidays we have services in the chapel, extra rations, and an hour of unrestricted intercourse together in the yard; at such times they engage in dancing, singing, football, and such other games as suit their fancy.

Newspapers are not allowed, except such religious ones as the chaplain chooses to distribute among them; but the monthly publications are. They can change their library books three times a week. The prison is lighted, so that they can see to read till eight o'clock in winter; at nine all retire. It is perfectly ventilated, and comfortably warmed in the coldest weather. That our sanitary regulations are complete, can be inferred from the fact that we have not had a case of fever for *thirteen years.*

Tasks and overwork are prohibited by law; yet very few are discharged, who have been faithful, that

do not receive from their employers from five to one hundred and fifty dollars; and many a one has been made happy by the knowledge that his industry was indirectly providing for his destitute family outside.

When a prisoner's time expires, he is provided with a good suit of clothes throughout, and from three to five dollars; he is then taken in charge, if he desires it, by the state agent for discharged convicts,—who has previously visited him to ascertain his wishes,—sent to his friends, or provided with a home till a situation is obtained for him, tools furnished him to commence work, and every effort made to give him a good start. At any time after, should he be out of employment, or his family in want, he has only to apply to the agent to obtain the necessary assistance. This agency I think one of the most important of our state charities.

To receive these outcasts with kindness; fan into a flame, if possible, the slightest spark of humanity remaining with them; advise, encourage, and improve them, mentally and physically; give all a good trade; satisfy them that it is for their *interest*, if nothing more, to behave well; strive in every way possible to elevate and restore them as useful members of society again,—is the Massachusetts system of to-day. Its success has exceeded the anticipations of its most ardent supporters, and such as those not familiar with the facts would hardly credit.

This system is by no means perfect: much is yet to be done, not only by the state, but by individuals, before that time will arrive. The state, through the legislature, can do but little towards inaugurating new

ideas or improvements: it requires patience and investigation, and must be done by those willing to devote their time to examining and studying the subject; neither can it be accomplished all at once: it must be step by step, little by little, like the growth of a child. The philanthropist must be satisfied with small gains, for the prejudices he has to encounter are deep-seated, and, in many cases, difficult to be overcome.

There are some things the state can and ought to do: Establish, as far as practicable, uniformity in sentences; subject the weak and the strong, the rich and the poor, to the same penalty; simplify the laws, so as to prevent the thousands who now annually evade law, or, by the aid of counsel, slip through its meshes; restrict the pardoning power; and, above all, suppress the universal sale of ardent spirits. With these done, the prisons in the state will prove sufficient for the next half century; neglect them, and the next session of the legislature will not be too early to take the preliminary steps towards enlarging the present or building a new State Prison.

SOLITARY CONFINEMENT AS A PUNISHMENT.

It has been generally thought by those favoring the abolition of the lash, shower-bath, and their accompaniments, that solitary confinement might do very well in ordinary cases, but would prove insufficient to suppress an insurrection, or restore order where large numbers were engaged. Such were the views entertained by the prison officials at their meet-

ing held in Albany, New York, the past summer. (1869.)

Since that meeting was held, we have had an opportunity of testing the efficacy of solitary confinement in suppressing a revolt of the most determined kind.

The use of tobacco in the prison is not prohibited, but none is furnished by the state. It has been the practice of the contractors to supply those who worked for them with a certain quantity given out each week. In the foundery the men received what was termed a double ration; this double quantity was suddenly stopped, and they received the same as the others.

I do not propose here to discuss the propriety of making a distinction in the first place, or the impropriety of attempting so important a change without first consulting the authorities, but simply to relate the circumstances as they occurred.

The first knowledge I had of the affair was that about forty of the men in the foundery had "struck," refusing to work till they got their tobacco. On repairing to that department, I found them quiet, but apparently determined to stand by the resolution they had formed. Among them were some of the most desperate and daring men in the prison. I endeavored to dissuade them from the course they had adopted, assuring them that the discipline of the prison would be enforced at all hazards. They listened respectfully to what I said, and, in reply, stated that they had no feeling against the authorities, but would have their usual quantity of tobacco, or would do no more work, or at least much less in amount than they had been in

the habit of doing. They knew the capacity of the prison for punishment; that we had but thirteen solitary cells, three of which were in the lower arch; the other ten it would be impossible for us to use, as the occupants could, and doubtless would, make day and night hideous with their noise, and we were powerless to prevent it.

I had no deputy warden, and two of my officers were absent on furloughs; our force thus reduced, I saw at once the danger, if not the impossibility, of removing a man from the foundery without bringing on a conflict, the result of which no one could anticipate. The news had reached the other shops; the men were getting restless and uneasy; the impression had got abroad that all were to be deprived of their tobacco; the excitement, though suppressed, and consequently the more dangerous, was deep and intense; some had actually prepared weapons, by grinding down and sharpening files; the slightest indiscretion would have fired a train which would have caused not only a great destruction of property, but a fearful sacrifice of life. There were those in the other shops who stood ready to join them; some through sympathy, and others for the excitement, and the hope that something might turn up to favor their escape.

A plan was immediately formed and quietly carried into execution. It was to dispose of them in detail. They were, accordingly, suffered to remain in the foundery till dinner time, when they fell into the ranks with the others, and marched to their rooms, taking their dinner with them, as was the custom here. After dinner the doors of all but nine were unlocked, and

the inmates permitted to return to the foundery. The nine left in their rooms were then placed in the cells in the lower arch, three in each. In the upper arch we have fourteen cells of the same size, used for the storing of odds and ends: these were cleared of the rubbish they contained, the windows closed up, and at the next meal time we were prepared for nine more. After the third nine had been disposed of, the others returned to their work, convinced that our resources for punishment were greater than they had anticipated. At the end of two days, seven of those shut up expressed a willingness to go to work; a day or two later, another squad yielded; and at the close of the week, all of them had returned to their work, I doubt not wiser, if not better men, admitting, without exception, that they had been foolish, and satisfied that the authorities had the facilities to crush out any insubordination which might occur; and we more strongly impressed with the fact, that solitary confinement, firmly and judiciously enforced, is sufficient in itself to maintain the discipline in any prison.

Weeks and months have gone by; good feeling exists to an unusual extent, and I consider the discipline better and on a firmer basis than at any period within my knowledge.

EDUCATION.

The fundamental object of all imprisonment for crime is, or should be, to restrain, and, if possible, reform, the offender. The punishment he must suffer grows out of, and is dependent, to a great extent, upon,

the methods adopted to secure the same, there being almost as many degrees of guilt and suffering as there are inmates in a prison; and although all may be subjected to the same rules and regulations, yet the mental anguish and suffering of one person may be greater in one week than another in a year or lifetime. Justice can only be dispensed upon general principles; the term of sentence pronounced by the judge has but little to do with the real punishment inflicted; it is, therefore, of the utmost importance that the means adopted to enforce obedience to the rules, and secure proper discipline, should not be of such a character as to aggravate imprisonment, for reformation, under such circumstances, would be out of the question.

It is no new theory I advance, and to a certain extent may be but a repetition of ideas already expressed, to say that there are two ways of obtaining the end in view — one through fear, the other through hope. The fear of the lash or shower-bath may deter convicts from violating the rules of a prison, as did the gallows men from stealing a century ago; and yet the remedy, in either case, is infinitely more pernicious than the disease. The debasing effects of the lash is not confined to the one whipped; the executive officer and those compelled to witness the exhibition, are, to a certain extent, influenced by it.

If, on the other hand, the convict can be inspired with the feeling that there is something to hope for, then is obtained all that is desired, through means which have a tendency to strengthen the obligations we owe alike to God and man. This can only be

accomplished by a judicious course of discipline, and by educating him; the latter has never been made a special department in this institution, for the reason that no money has been expended for this purpose, other than for the salary of the chaplain, organist, the library, and for school books and stationary, amounting, in the aggregate, to seventeen hundred and ninety-nine dollars and thirty-nine cents the past year (1869). The services for lectures and teaching have all been gratuitous, and, although we have received no credit for it, yet I doubt if the labor performed and the amount of instruction given have been surpassed in any prison in the country.

Of the one hundred and eighty-two prisoners received the past year, only thirteen, or seven per cent., were unable to read and write; our necessities, therefore, for an educational department are not so great as in many of the prisons in the country, where this class numbers from forty to fifty per cent.

Notwithstanding the small number to be benefited, the last legislature, with the liberality which has ever characterized our state, passed the following act: —

"The warden and inspectors of the State Prison are hereby authorized to expend from the appropriation made for the support of said prison a sum not exceeding one thousand dollars per annum in furnishing suitable instruction in reading, writing, and such other branches of education as they may deem expedient, to such of the convicts as may be benefited thereby, and are desirous of receiving the same."

In accordance with this act, a school has been established for two evenings a week, and is now attended

by upwards of sixty of the inmates. It is gratifying to know that no act has been passed for years, relating to the prison, which is more highly appreciated than this. The interest manifested, and the desire to avail themselves of the privilege, are almost universal.

One of the results of our peculiar discipline is, that our labor is always in demand, and we obtain from fifty to one hundred per cent. more than any other prison in the country. The net profit for the last three years has been as follows: —

Profit in 1867, . . .	$22,346 16
" " 1868, . . .	27,646 49
" " 1869, . . .	28,556 05
Total in three years, . . .	$78,548 70

In this connection I am led to inquire if some plan cannot be adopted whereby these men may become interested in the profits of the institution. I am satisfied that, if a percentage of the gains of the prison could be divided among the inmates as a reward for industry and good behavior, upon the same principle as time is deducted from their sentences under our commutation law, we should be taking an important step in the right direction. The feeling which, to a certain extent, now exists among them, that the state is making a profit out of their labor, would be dispelled, and each individual would be interested in our prosperity. It would have a tendency to inculcate industry, patience, and perseverance — virtues which would exert an important influence upon them when discharged.

PRISON DISCIPLINE,

CONTINUED.

CHAPTER V.

PRISON DISCIPLINE — CONTINUED.

THIS whole subject of prison discipline has for many years been closely studied by the author, who has, on different occasions, been called upon to address those who, like himself, have taken the topic into thorough consideration. Three of these addresses are incorporated into this book in the belief that they contain views which it will be well for the public to consider carefully. There may be an occasional repetition of an idea, or a theory, before presented; but such instances will be of slight importance in comparison with the main object in view. These addresses are here printed in the exact form in which they were delivered, as the author would scarcely feel justified in altering what he had already presented in so public a manner.

The following address was delivered at a meeting of the American Social Science Association, in New Haven, October 9, 1866: —

PRISON HOLIDAYS.

Prison discipline is a subject of great magnitude. The best method of treating criminals is a problem

the wisest and most philanthropic, in this and other countries, have not yet been able to solve.

I do not propose to discuss the various theories, but shall confine myself to the general principle that reformation is the primary object of all imprisonment for crime; and that system, and those measures which produce the clearest and surest results in this respect, are the best.

All prisons must necessarily contain masses of offenders with very different shades and distinctions of guilt; and we must either make imprisonment as bitter as possible, and thus involve the comparatively innocent in those hardships which we impose upon crime of the deepest hue, confounding all notions of equity, or we must come to the conclusion that imprisonment is nothing more than privation of liberty, and ought, therefore, to be attended with as little of what is vexatious and hurtful as possible.

A convict, whatever may be his crime, has certain rights, among which are good treatment, pure air, decent clothing and bedding, wholesome and sufficient food. They are few, and should be zealously guarded. But, besides the right of the individual, there are duties to the community; and one of the most important of these is, that you should not send forth a man committed to your charge in any respects a worse, less industrious or competent man than when he entered your walls. Good policy requires that, if possible, you dismiss him improved.

Punishments are intended that crime may be prevented; and crime is prevented by the reformation of the criminal.

The theory that prisons ought to be not merely places of restraint, but of restraint coupled with deep and intense misery, and that so much evil is repaired by so much misery inflicted, has become obsolete. If misery is to be inflicted at all in prisons, it ought surely to be in some proportion to the crime of the offender. Now, this is utterly impracticable; for who is to apportion this variety of wretchedness? The judge, who knows nothing of the interior of a prison, or the keeper, who knows nothing of the transactions of the court? The judge can, to some extent, suit the penalty to the circumstances or aggravation of the case. He can adjudge to one offender imprisonment for one day; to another, a term of years, or life; and the penalty thus pronounced is all that is to be inflicted. To embitter his confinement by circumstances often much worse than the loss of liberty itself, is to aggravate and distort the law, and to annex severities not awarded in the sentence.

Blackstone says, "The law will not justify jailers in fettering a prisoner, unless when he is unruly, or has attempted an escape."

Bracton goes so far as to intimate that a sentence condemning a man to be confined in irons is illegal; and Lord Chief Justice King replied to those who urged that irons were necessary for safe custody, that "they might build their walls higher." And this answer will apply to many other practices to be found in almost all prisons at the present time, viz., cutting the hair in a peculiar way, or shaving the head; the party-colored dress, and the prohibition of all social intercourse with each other under any circumstances.

These and other methods are adopted, not because they will have a tendency to improve or reform the prisoner, but in order to prevent his escape, or more readily detect him should he escape. My experience is, that in a properly walled and well-guarded prison, not one convict in a hundred would ever dream of an escape, much less attempt to carry it into execution; and yet the other ninety and nine must be degraded in their own estimation, the little manhood they may bring with them into prison crushed out, deprived of privileges absolutely necessary for the preservation of health both in body and mind, suffer penalties not included in their sentence, exposed to temptation many find it difficult to resist, reformation ignored, and proper discipline rendered impossible, in order to save to the state the expense of guards, or a few feet in the height of their walls. In the Massachusetts State Prison these practices have all been abolished, and with the best results. There is now no peculiarity in the hair-cutting or shaving, save that the face is shaved clean; the party-colored dress is abolished, and occasionally they are permitted to have an hour or two of unrestricted intercourse together in the prison yard. On these occasions, all restraint is thrown off, and they are at liberty to engage in conversation, or such games and exercises as they please; and this brings me to the subject I propose to discuss, viz., "Prison Holidays, and their Influence upon Prison Discipline."

In the first place, what is the nature of the punishment a convict must undergo in serving a sentence in one of our state prisons? Very few in the community have any distinct idea or knowledge upon the subject,

save the general one that they are shut out from the world, and compelled to labor for a term of years, with the impression that it is not, in any sense, severe, but, on the contrary, rather desirable, if not to be sought for by the unfortunate and homeless. This is a great mistake. They only who have witnessed the tenacity with which a prisoner will argue for a single additional day which he fancies may be due him in making up his time, or the earnest and powerful appeals he will make for the restoration of a day lost by misconduct, under our commutation law, can judge what imprisonment is under the most favorable circumstances. Deprived of liberty even of speech or the use of their eyes except upon their work; forced to pass from the prison to the workshop and back again; to know that each day in the week will bring with it the same unchangeable rations; unconscious of what is passing in the outside world; with the knowledge, perhaps, that wife and children are suffering in consequence of their misconduct, — the great sameness, the terrible monotony, of their lives cannot be described or pictured; one must be familiar with it to understand or realize its extent. The great wonder is, that so few become insane.

To guard against the latter calamity, and an earnest desire to soften the rigor of imprisonment, so far as it could be done with propriety, induced me, on the Fourth of July, 1863, to try the experiment of having a holiday in prison.

At ten o'clock in the forenoon the prisoners were all assembled in the chapel; the services consisted of reading the Scriptures and prayer by the chaplain,

singing patriotic pieces by the choir, and short speeches from gentlemen present. At eleven o'clock they were marched into the yard, forming a hollow square, myself and little boy three years old in the centre. After referring to the good news received that morning from the army, I stated that I was about to try an experiment, and its repetition would probably depend upon the success attending it; that I proposed to give them an hour's liberty, during which time they were to be their own masters, with the privilege of enjoying themselves in any way they thought proper, with the simple restriction that they were not to enter or go to the rear of the workshops, closing by saying that I felt confident that they would do nothing that would cause me to regret the step I had taken. Up to this moment, no one on the premises, save the deputy warden, knew my intention. For a moment all was silent. The shout that then burst from those four hundred throats, the delirium of delight into which they were immediately plunged, at once relieved me from all fear as to the result. They shook hands, embraced one another, laughed, shouted, danced, and cried; one of them caught up my little boy, rushed into the crowd, and I saw no more of him till the bell called them to order. A band of music was stationed in the centre of the yard, foot-balls and quoits furnished them, and invited guests to the number of about seventy-five — ladies, gentlemen, and children — were admitted, mingling freely with them in conversation, &c.

Apparently no unusual precaution had been taken to guard the prison.

The "God bless you, Mr. Warden," which greeted me on every side, together with the wildest and most extravagant expressions of delight which fell from the lips of all, convinced me that I had not made a mistake.

At the first stroke of the bell every voice was hushed; silently and quietly they fell into line in their respective divisions, and, save the flush of excitement and the animated expression which flashed from the eyes of all, giving them more the appearance of the men God created in his own image than I had ever seen in that place before, they, in their usual good order, passed to their cells, taking with them for dinner baked halibut, string beans, onions, beet greens, plum-pudding, tea with milk and sugar, and were locked up for the remainder of the day.

Here let me remark, that previously, on public days, it was expected that the men would be noisy and troublesome. I have been informed that frequently as many as a dozen have been taken from their cells on a Fourth of July for disturbing the prison, and shut up in solitary confinement. Since we have had these holidays (some twelve or fifteen in all) not a whisper has been heard in the prison, nor the slightest impropriety observed upon either occasion; and I truly believe any one attempting an escape, or guilty of any marked impropriety, would have been torn in pieces by his comrades.

It may be asked what real benefit is derived from these occasions, and if not more evil than good is likely to result from the commingling of the good, bad, and indifferent, with which our prisons are popu-

lated. In answer, I would say, that a convict can in no probability be made worse by it; and furthermore, it has, in my opinion, already saved many from becoming temporarily, if not permanently, insane.

A convict has but little employment for his mind, and, as is too often the case, broods over his own misfortunes and troubles; and if he has a long sentence, his mind is almost certain to become affected to a greater or less degree. Any plan or measure which can be adopted that will turn his thoughts from himself into another channel, or break the monotony with which he is surrounded, must prove beneficial. These occasions are something for him to anticipate and reflect upon when passed: it cannot, therefore, be denied, that, as a sanitary measure, they are of great importance.

Our punishments have been reduced nearly fifty per cent. in the last three years, with no relaxation in the discipline. The men were in the constant habit of writing notes — the only means they had of communicating with each other: the contents of these notes were of no consequence, but the writing them was a violation of the rules, and more or less were constantly in punishment for it. This is now to a great extent abolished; the opportunity of seeing and conversing with each other occasionally renders it quite unnecessary.

Again: it can be made a powerful agent in enforcing the discipline, by giving the privilege to those only who behave well. What more powerful incentive for good could possibly be adopted?

But, above all, the simple recognition of manhood,

the confidence placed in them, struck chords in the hearts of many which misery and crime had paralyzed and unstrung, causing them to vibrate anew with emotions reminding them of home, of loved ones, of better days; and if their testimony, corroborated by their improved conduct, can be taken, it has been the cause of raising many from the depths of despair, and the formation of resolutions which will have an influence upon them in all coming time. The great good it has already accomplished in this respect cannot be weighed, gauged, or measured; and whether viewed in the light of enjoyment by the men, the great propriety observed, the good feeling engendered, or subsequent effect upon the discipline — in every point it has proved a brilliant success, without one single spot or blemish to mar its universal beauty.

An hour spent occasionally in the same way in any prison, under proper rules and regulations, would, I am certain, prove an important measure in a sanitary point of view. It would have a tendency to break the monotony of their lives, give them the necessary outdoor exercise so requisite to health, furnish them with food for thought and contemplation, withdraw the mind in a great degree from themselves and the imaginary wrongs over which they brood and mope until they become to them almost a reality, terminating too frequently in insanity or death.

I do not say that the same success would attend the experiment in all other prisons; on the contrary, there might be some doubt about it; much would depend upon existing circumstances; a preparatory discipline or education would be found necessary.

The evil that possibly might arise from these holidays is not worth discussing. The idea that the old, hardened, and accomplished rogue would improve such an opportunity to poison the mind of the novice, to initiate the young man in villany and crime, is absurd: these moments are too precious, too valuable to be fooled away in such a manner; the theme would be out of place — not in keeping with the occasion.

With an experience of eight and a half years with these men, during which period nearly two thousand different persons, representing every crime imaginable, have been under my charge, I have yet to find the first man that I thought would endeavor, while in prison, to influence a young man to continue in crime when discharged; but, on the contrary, they invariably advise (though they may not follow it themselves) an honest life.

My conclusions, drawn from the experience of the last three years, are, that a desideratum has been found in prison discipline — a something devoutly to be wished for by every one interested in the reformation of the prisoner, who believes these unfortunate outcasts are endowed by their Creator with minds to be improved and souls to be saved. I may be somewhat in advance of public opinion, or of the views of those brought up under the old *régime*, and wedded to the idea that punishment and reformation are antagonistic, or that punishment, and not reformation, is the grand object of all imprisonment.

A careful examination is, I think, all that is required to satisfy the most sceptical that the discipline, industry, and good order prevailing in the Massachu-

setts State Prison at the present time, will compare favorably with those of any other like institution in the country. They will also find deeply and earnestly anticipated by the inmates, and, to them, second only to the day which brings with it their final discharge, a holiday in our prison.

The following address was delivered in the prison chapel April 2, 1868, — the annual Fast Day, — it being the tenth anniversary of the warden's appointment: —

In addressing you at this time, I feel that I am but discharging a duty I owe to you as well as myself. Situated as we are, I think there should be a proper understanding between us; and I know of no better way of bringing that about, than by my occasionally giving a quiet, friendly expression of my views upon the various subjects in which we are mutually interested.

I do not address you at this time simply because I am desirous of making a speech; far from it: did I not feel that what I have to say would be, if not instructive, at least, to some extent, interesting, I should not occupy this desk to-day.

There always exists a certain telegraphic communication between the speaker and his hearers, which indicates with as much precision as the barometer does the state of the weather, the sympathy between them; and it is with pleasure I refer to the attention I always receive whenever I have had an occasion to address you, no matter what the subject might be, or how plainly I might express myself.

It is quite possible that I may repeat some things that I have said before; but you will bear in mind that my audience is a changeable one, and a repetition upon that ground may be excusable.

Every nation, and every people, no matter how ignorant, savage, cultivated or uncultivated they might be, have always been governed by laws, either written or understood, the violation of which would subject the violator to a punishment of some description. The wisdom and propriety of this no one has ever questioned, and I am sure that no body of men will meet together within our state to-day who would be more unanimous upon this subject than the one before me; and I feel that it would be an unnecessary waste of my time, and a poor compliment to your understanding, for me to enter into an argument to prove the necessity of laws to govern society, or that punishment should attend the violation of them. Possibly we might differ in regard to the kind and extent of the punishment, but in nothing else.

It might be interesting, had I the time, to trace the various modes of punishment as practised in different countries and at different periods: it would, doubtless, appear that improvement in this respect had kept pace with civilization, and that the theory that prisons ought to be, not merely places of restraint, but of restraint coupled with deep and intense misery, and that so much evil is repaired by so much misery inflicted, has become obsolete.

Should I truthfully describe places of imprisonment, and the treatment men were subjected to in them, even here in New England, within the last half

century, I should hardly be believed. Doubtless many of you think this place bad enough: so it is; and yet there are those here to-day — for we have some old residents — who can remember it as a very different place from what it is now.

This institution was established for the reformation as well as punishment of offenders. Doubtless some of you will smile at the idea; you may think it a strange way of reforming men; but what patient ever fancied the medicine prescribed by a physician? Like skilful surgeons we must sometimes cut beyond the sore to make the cure complete. If, in the making of the rules and regulations for the government of the prison, the matter had been referred to you, possibly we might have had a different code, but whether an improved one is another question.

The impression, to some extent, prevails among the inmates, that between them and the officers of the institution there must necessarily exist feelings of antagonism; we are looked upon with distrust, simply because we hold the offices and enforce the rules. This is all wrong. I know of no reason why good feeling and confidence should not exist between us; you should bear in mind that we are not responsible for your being here, but we are for the discipline, and your safe keeping. The rules and regulations are not made by us, but are given us, after being approved by the governor and council, for our guidance, and any deviation or non-fulfilment of them would probably end in our dismissal from the situations we hold. True, I have occasionally taken the responsibility to deviate from them, and shall again to-day, in allowing

you the freedom of the yard, relying upon your honor and appreciation of the privilege as a sufficient guarantee that the occasion will not be abused, nor have I cause to regret the confidence I place in you; but, on the other hand, I believe that it will prove an hour of recreation and enjoyment, conducive alike to health and happiness, having a tendency to unite still closer the bond of good feeling which ought to exist between us.

The one almost universal complaint among you is in regard to your sentences; great dissatisfaction exists relative to this matter. I don't know that I ever heard one of you admit that your sentence was a just one in every respect; either the evidence against you was circumstantial or unreliable; some other party more guilty than yourself escaped, or received a lighter sentence than you; sufficient time was not allowed you to prepare for your trial, &c.; and I am frequently appealed to to right these real or imaginary wrongs by way of a pardon: the impression generally entertained among you is, that in this matter of pardons I have entire control, and have only to intimate my wish, or yield my consent, to have you set at liberty. This is a great mistake. I do not deny but that the influence of the warden might prove very potent either in obtaining or preventing a pardon in any one particular case should he deem it necessary to use it, but it would soon be destroyed if employed on either side in the hundreds of cases constantly before the governor and council.

This question of pardons is an important one — one in which you are all more or less interested. it is

a very delicate one to discuss; yet I have no hesitation in giving you my views upon it, although we may differ widely upon the subject, for I know you like candor, and have no desire to have me stand up in this desk and make statements that you know I don't believe, merely for the sake of pleasing you for the moment, and when called upon, to find my practice not in keeping with my precepts. People looking at objects from different stand-points come to different conclusions. If our laws were perfect, and our judges infallible, there would be no necessity for pardons; for I think the most salutary ingredient of punishment is its certainty. No man in his right mind would commit crime were he certain that detection and punishment would follow; therefore the nearer we can approach such a state of affairs the better; for I hold that any measure that has a tendency to prevent crime is a proper one.

I think that justice requires that every one should understand clearly and distinctly the penalty of the crime they commit. If there are none of sufficient magnitude to deserve a life sentence, it should be abolished, and a term of years substituted; and, if the sentences for minor offences are given with the understanding, both by the judge and criminal, that but a part will be inflicted, the sooner it is corrected the better. The idea that some of our judges entertain, that if a man deserves five years' imprisonment, it is necessary to give him a ten years' sentence in order to secure it, is a bad one. I do not advocate severe sentences, but only such as the crime actually demands. I believe our criminal code to be very defective; that

men are sent here for crimes that ought not to be State Prison offences, and instead of five or six now punishable with a life sentence, there should be but one. I would reduce the penalty, or place it in the power of each individual by good behavior to reduce it to a much greater extent than now, and the probability of obtaining a pardon in the same ratio.

"But," says one, "would you shut out all hope from these men?" God forbid; but in my opinion a pardon should not be held so lightly that the probability of obtaining one would be calculated upon, and reckoned in when counting the chances before committing crime.

As I have already observed, our laws are not perfect, our judges may err, and a pardon in many cases is the only way to right a wrong, or remedy a mistake; and Heaven forbid that I should ever do aught, either by word or deed, to prevent the humblest here from presenting his case fully and without prejudice to the governor.

It is a mistaken idea, however, that some of you entertain, that it is a part of my duty to investigate your cases. With that, as I have oftentimes said before, I have nothing to do: you may be as innocent as the child unborn, and yet my duty is the same.

Should I devote the whole of my time to the subject, I could not properly investigate one half of the cases of those who think they are here wrongfully; and to do it for some, and not others, to make a distinction between you, would soon bring me into trouble.

Before your trial the law presumed you were innocent, and it was necessary for the prosecuting officer to show your guilt to the satisfaction of the court and

jury. After your conviction the case is reversed, and you are presumed to be guilty, and it rests upon you to satisfy the governor and council of your innocence: this is oftentimes a very difficult matter. No man would ever be convicted upon the evidence presented in his defence; and as that is generally all that is brought before the governor, it is necessarily received with a great deal of caution. But the question is frequently asked, "Why keep a man here all the best days of his life?" If his conduct has been such as to give a reasonable degree of assurance that he has reformed, why not let him out? Why not give him a chance to redeem himself? Am I not as likely to behave well, if liberated now, as I shall be if I have to remain four or five years longer?" These are delicate and difficult questions to answer. Suppose the theory were adopted that a man should be discharged when reformed; who would decide when that period had arrived? The inspectors, the chaplain, or myself? I think either party would shrink from the responsibility. I would ask you if you think crime would be prevented, or lessened, if it was understood that a few months or years of good conduct, either real or assumed, would atone for its commission.

Men are punished, not for what they may individually suffer, but for the example, that others may be deterred from committing the same crime.

A large proportion of those before me to-day are here in consequence of strong drink. But for that they would have remained quiet, respectable members of society, who would sooner have lost their right hand than commit crime, when not under this terrible

influence. Let me illustrate this point by stating some facts; and I trust you will believe that it is not for the purpose of calling up unpleasant feelings in the minds of any of you that I do it, but simply that you may understand to what an extent strong drink is connected with crime, and the difficulty of dealing with it.

Since I have been connected with the prison, we have had twenty-one here for killing their wives, two for killing their fathers, and one for killing his mother. Of these twenty-four, all but one were not only habitual drunkards, but actually drunk when they committed the crime. Not one of this number was born a drunkard; not one but was once a temperate drinker; not one but what at some period in his life would have been indignant had it been intimated that he might become a drunkard, much less a murderer; not one but was as secure against becoming a drunkard as any other man who is in the habit of drinking occasionally; not one, save for this curse, but might have remained an honest member of society, respectable and respected, a blessing to himself and family, enjoying to-day the freedom God designed the meanest of his creatures should enjoy, instead of being compelled to drag out long, miserable years in servitude and sorrow. I repeat, these were not bad men, except when under the influence of liquor; and yet justice can make no distinction, but holds him equally guilty who commits crime under such circumstances, as the one who soberly and with intellect unclouded violates the law.

But it may be asked, "Are there no cases deserving a pardon?" Yes, many. First, if it can be shown that

a man is here innocently, he not only should be pardoned, but restitution to the fullest extent made him for the great injustice he has suffered; the discovery of new and reliable evidence, which, if it had been presented on his trial, would have prevented a conviction; a man sick unto death, who has friends able and willing to care for him; uniform good conduct, or substantial services rendered the state. I do not wish it understood that I consider it the duty of the inmates to look after the interests of the prison, or to act as spies upon each other. It matters not what information you may have, — it is something we have no right to demand; and your neglecting to give it us would make no difference, so far as your position or treatment is concerned here. Should you, however, think proper to render a service of that or any other substantial kind, you may rest assured it would not be forgotten.

You may ask if I should consider it my duty to oppose a pardon not coming under either of the heads I have mentioned. Certainly not. I do not consider it my duty to oppose a pardon under any circumstances, further than sending to the governor the record of conduct, and that is always required of me. I have spoken thus freely upon this subject, for it is one in which we are all interested, and I feel confident nothing I have said will prevent any of you from asking my advice or assistance, if you desire it, as readily after what I have said as before; and I assure you, you will find me as willing in the future as in the past to do everything I can, consistently, to assist you.

Ten years have rolled by since I entered upon the duties as warden of this institution — ten years this morning since, upon the spot where I am now standing, I was introduced to the four hundred and seventy-four inmates then in the prison. I said, upon that occasion, that I came among you a stranger; not one, so so far as I knew, that I had ever seen before; I had, therefore, no feeling in favor of, or prejudices against, any one present; that I should endeavor to discharge the duties faithfully and impartially. How far I have succeeded is for others to judge. It has been a period of great interest to me — one not to be forgotten while memory holds its seat. Scenes I have witnessed, stories I have heard, prove conclusively that truth is indeed stranger than fiction.

The position I hold is an important, and sometimes a trying one, full of perplexities. I am sometimes compelled to seem unnecessarily strict and severe, to deny requests apparently simple in themselves, but which have a bearing, directly or indirectly, upon the discipline, and the granting of which would lead to much vexation in the way of precedence. A line must be drawn somewhere. I assure you that with me there is always more pleasure in granting than in refusing a request; and if it is denied you may be sure there are good reasons for it, although it may not always be proper to enter into an explanation.

Many changes have taken place here within the last ten years — many improvements made. Of the four hundred and seventy-four men here when I came, all but seven have been discharged: some of them, however, have returned; whether that is to be at-

tributed to my popularity, or the improvements made, I shall not attempt to decide. Fourteen hundred and fifty-nine have been received, eleven hundred and thirty-five discharged, one hundred and eighty-seven pardoned, sixty died, and some half a dozen have been so ungrateful as to leave without bidding us good by — another illustration of the depravity of human nature; leaving five hundred and forty-seven in prison to-day, of whom fifty-five are for life.

Among the most important improvements made in the yard was the removal of the old chapel, which some of you will recollect extending almost the entire length of the north wing; the repair and barber shop fitted up; the whip shop extended; the old stone shed removed from the centre of the yard, and the plot of grass in its place; the prison yard enlarged, and the foundery built; the large windows put into the north wing in place of the small loop-holes originally there; our wharf enlarged; the prohibition in regard to tobacco removed; the party-colored dress abolished; the time of writing to and seeing your friends reduced from six to three months, mush reduced from five to one night in a week for supper, and white bread substituted in its place; the food improved in quality and quantity (that is, when you get what you are entitled to; but the fact is, there are some in this institution that are no more to be trusted than members of Congress, and sometimes, when trade is good, they do not leave enough meat for the hash to poison you if it was arsenic); the library enlarged, and catalogues furnished, enabling you to select your own books; changing them if you wish three times a week (formerly you got but one

book a week, and you had no choice in that; it was given to the first man in the division, and when he had read it, it was passed to the next, and so on through the whole division); magazines admitted; the old guard-room demolished, and the addition made to the west wing; lectures introduced; and what I think you prize above all, our holidays, with the freedom of the yard, and the remembrances from your friends permitted upon those occasions. And at my suggestion the laws have been changed in several particulars. *First.* Your time commences from the day you are sentenced. *Secondly.* Any number of sentences are added together and counted as one, in deducting your good time; and for a seven years' sentence you now get four days a month, instead of two originally; and in my report for the past year I recommend an extension of this principle, allowing a man one day a month for every year of his sentence up to ten years; if adopted, it would reduce a ten years' sentence, with all the time off, to six years and four months, with the proviso that if you come back, the time gained would be added to your next sentence.

I think I can truly say that more improvements have been made in the last ten years than in any like period since the institution was opened; and yet it remains a prison still, unattractive, cold, and cheerless, not one word to be said in its favor; and the great sorrow to me is, that so many young men, smart, active young men, who are capable of filling any position in society, who have health, strength, brains, and perseverance, — qualifications so essential to success in this country, — should be willing to drag out a

miserable existence in a place like this, depriving themselves of the pleasures and freedom God designed the meanest of his creatures should enjoy. This will apply more particularly to those who have been here once, and come back. Great Heavens! as though one year, one month, or even a day in this place was not sufficient to satisfy any one! That a man may be made the victim of those in whom he trusted, or by a train of circumstances sometimes almost unaccountable, should find himself an inmate of this place, is not surprising; but that he should allow himself to be cheated a second time, or that he should deliberately plunge again into crime, with the chances of success in his operations so small, and the almost certainty, sooner or later, of being detected, is truly astonishing. The man who supposes he can leave this place and remain in this vicinity, except he is engaged in honest labor, and not have his every movement known to the police, is laboring under a great mistake; when he fancies his security is perfect, himself and vocation unknown, justice from a quarter the least expected is patiently waiting for the proper moment, and then steps forth and lays its iron grasp upon its victim, and three, five, ten years, or life, in the State Prison is the result.

O that you would heed the advice of those who, whatever you may think, feel a deep interest in your welfare. What is there in this world, either in the shape of pleasure or wealth, that can compensate a man for five years, taken out of the best part of his life, passed in this prison? I have nothing to say in regard to the past; let the dead past bury its dead; it cannot be

recalled; let it be forgotten, except such parts as shall have a tendency to build up and strengthen good resolutions. But the future, — the vast, unexplored, unknown future — is before you; its pages are blank, its history is to be made by you: ask your own hearts what course pays best; which, for your best interests, even on earth, is it your policy to pursue?

O, by the manhood still left in your breasts; by your hopes of happiness in this and the life to come; by the love you bear your children, — sweet, innocent angels, — deprived of your care and protection; by your loving wives, who have suffered so much, yet cling to you with a tenacity unknown or unequalled except in woman's love; by the thoughts of home, its loved ones, the seat made vacant by your absence, your poor heart-broken mothers, whose love and affection for you cannot be shaken; for, do what you will, sink as low as you may, even to the very depths of degradation, let all others despise, detest you, there is one heart upon which you can always rely, one that will not be estranged, will not be alienated, for it is bound to you by ligaments stronger than hoops of brass or bands of steel — a mother. O, remember, if you, who are blessed with mothers, keep her image ever before you, and pledge upon the altar of her broken heart, and the dear ones I have mentioned, that, should God permit you to leave this place alive, never to return, no, never, never, never! And may God support and strengthen you in your endeavors to do right.

The following address was delivered before the Society for Aid of Discharged Convicts, May 26, 1868: —

"What shall we do with our convicts? This is a problem England has been in vain attempting to solve for the last century. The gallows was the great panacea resorted to during the greater part of that period. The result was like sowing dragons' teeth; and although that terrible instrument was kept in constant use, the criminal ranks were not materially thinned; new converts sprang up from every quarter: even under the shadow of the scaffold, when occupied by its victim, crimes were committed with as much impunity as in the most retired and unfrequented quarters.

"Englishmen are proverbially stubborn, slow to encourage any innovation upon ancient customs and usages, and the gallows with them has ever been considered an institution closely allied with the government itself, and any interference with it by the authorities would have been looked upon by the lower classes as an encroachment upon their vested rights, by depriving them of an occasional holiday. Public opinion, even in England, has recently been so worked upon as to actually question its necessity, and has taken the first step towards its abolition by prohibiting public executions.

"The next experiment tried was transportation; but with no better results. Crime continued, additional prisons were required, and for every criminal removed two seemed to start up to fill their places; and England, to-day, so far as anything practical has been accomplished, is undecided as to what shall be done with its convicts.

"True, the public has been somewhat interested in

the discussions caused by Miss Carpenter's book entitled Our Convicts, and the success attending the efforts of Captain Machonechi at Norfolk Island, and Sir Walter Crofton in Ireland, and the question is now being asked, if some method cannot be adopted whereby some of this class may be reclaimed.

"The Irish system is, without doubt, the most perfect ever yet conceived. It strikes at the root of the evil; it discards the idea that justice should be satisfied, and the community fulfilled its responsibility by the confinement and punishment of the convict for a certain period, and letting him loose again without regard being paid to his instruction while in prison, or his welfare after his release. It is not my intention to discuss the Irish or any other system at the present time, only so far as they have a bearing upon the convict after his discharge.

"In our system, three principles are involved, viz., reformation, punishment, and profit, which should stand in the order they are named; yet I regret to say that they are too often reversed, and *profit* heads the list. It is an indisputable fact that the warden or superintendent, who can at the end of the year show the largest profit, is voted the most successful; education, reformation, and good discipline are all very well in their way; but when placed in the balance against profits, they kick the beam. With this feeling in the community, many things are done that ought not to be, and many more left undone, in order that the balance-sheet may stand well at the close of the year. In the Irish system every step taken is in reference to the welfare of the convict when released. Some of the

most important principles upon which depends its success, could not, I fear, be successfully adopted and carried out in this country, viz., the third stage of imprisonment, which consists principally of out-door labor, with little of the restraints or surroundings of a prison, with the ticket-of-leave and supervision after their discharge.

"These principles, for reasons apparent to every one, could not be applied in a country like ours. Its extent and want of jurisdiction beyond the individual state would render it impossible.

"But we have here in Massachusetts, in our state agency for discharged convicts, and in this society, an element of reformation second only to the Irish system, and far in advance of any plan to be found in either of the other states. I have no hesitation in pronouncing it the most important principle connected with our system.

"The act establishing the agency was passed, I think, in 1845, and this society formed immediately after. Let us, for a moment, consider the situation of a man discharged from prison, after serving three, five, or ten years. He had no trade when committed, but has learned one, which will, if he can only find employment at it, enable him to earn an honest living, but finds himself, on his release, a stranger. Everything has changed, except the old haunts which he used to frequent; and they have not only become more numerous, but the fascinations with which they are surrounded more attractive, and, nine times out of ten, repulsed and shunned by the better part of the community, he can count upon a cordial welcome only

from his old associates. Is it strange, then, if unaided, he should relapse again into crime? Nothing short of a miracle can save a man under such circumstances. They feel, as they have often told me, as though every person they met knew them, and from whence they came. If they seek for employment at any respectable place or calling, the first question usually asked is, where and for whom they have worked: they must prevaricate, or lie; for, if they tell the truth, the chances are that they will be repulsed, or if retained, it will be under such peculiar circumstances as to render their situation as unpleasant and disagreeable as possible. Many a reconvicted man has told me, when interrogated as to the cause of his return to prison (not under the present able and faithful management of the agency, but when, unfortunately, it was made secondary to some other occupation), that they had been unable to find the agent, or, if found, he was too busy to attend to them; they must call again to-morrow, or the next day. In the mean time they were almost certain to fall in with some of their old companions, and an invitation to drink, a visit to their old haunts, a few hours of dissipation there, and they were prepared for any project which might be proposed, notwithstanding the good resolutions they may have formed, and, under other circumstances, might have carried into effect.

"The state appropriates eighteen hundred dollars annually for this object — eight hundred dollars for the salary of the agent, and one thousand dollars to be expended in assisting these men. This sum, notwithstanding its insignificance, is a better investment for

the state pecuniarily, than to receive a thousand dollars a year for every grog-shop that might be licensed.

"What does the state gain by keeping a man in prison a term of years, no matter what he may suffer, if, when discharged, he is no better prepared to earn an honest living than when committed, or, if prepared, not able to avail himself of what he has learned? Good policy dictates that you should not only prepare him to battle with the world by educating and giving him a good trade, but also an opportunity to carry into effect the good resolutions he may have formed while in prison. Every species of improvement, and every system, without such an end in view, must of necessity prove a failure.

"The discharged convict must undergo trials and temptations such as no other class of the community can ever be subjected to, and such as no one not familiar with the subject can realize or understand. If he is saved, it must be through the exertion of friends, or this society, through its agent. It resolves itself into this simple question: Are the one hundred and fifty young men annually discharged from our State Prison worth saving? Shall they be permitted to sink again into crime, without one effort being made to save them, turned loose with wits sharpened by experience, and feelings of revenge rankling in their bosoms, to prey upon the community, and perhaps successfully, too, for years before they can be arrested in their career, involving severe losses to individuals, and taxing the public in each case, to arrest and bring them to justice, more than the whole sum annually appropriated by the state for the relief of these men.

"It is not to be expected that every one can be reclaimed. Some are naturally vicious, and apparently beyond the reach of, and impenetrable to, either kindness or severity; but these are the exceptions: a large proportion of them have been saved through the instrumentality of this society, and made good citizens, adding to the wealth and prosperity of the state, instead of becoming outcasts, with their hands against every man, and every man's hand against them.

"He should not be furnished with money, but work, and tools to work with; but, above all, received with kind and encouraging words. Let him feel that the agent is a friend, ready at all times to listen to his real or imaginary troubles, and to assist him or his family, if deserving. He must understand that he cannot be supported in idleness or dissipation, but that the object of the society is to assist those who are willing to assist themselves.

"The first week succeeding a convict's discharge is the most critical period in his life, — everything depending upon the reception and treatment he may receive from those into whose society he falls. It matters not that he may have formed good resolutions, and quits the prison with a determination to carry them into effect: if coldly received, or repulsed, they will vanish like mist before the rays of the sun; he sinks again into crime, stilling his conscience with the reflection that he is not to be blamed, that he made an effort in good faith to reform, was willing to labor, but could find no employment; and upon the community, in his opinion, rests the responsibility. And so it does, in a great measure.

"Look to it, then, my friends, that he has no occasion for such excuses; receive him kindly, encourage him to persevere. Remember that one kind word, a night's lodging, or a crust of bread, or any other favor, however small, judiciously contributed and applied, may save a man from years of imprisonment and degradation, the public from great losses, and, possibly, a soul from misery in the world to come.

"We will do our part within the walls. We will educate and instruct him in a good trade, prepare him for the life that is before him, and deliver him into your hands, to receive from you one chance to start in life under more favorable auspices, perhaps, than he has ever had before; then if he fails, the fault will be his, not ours, and we can enjoy the happy reflection of having faithfully discharged our duty.

"I cannot close without referring to the services and success which has attended the labors of your and the state's able and faithful agent. He has been indefatigable in the discharge of his duty, and successful beyond precedent. Not one solitary complaint has ever reached my ear, even from those who have returned to the prison, that they did not receive from him a kind reception, and all the assistance they required. Their failure to do well was invariably owing to their not being able to control their passion for strong drink, — that gigantic evil, which fills our almshouses and prisons."

PRISONS ABROAD.

CHAPTER VI.

PRISONS ABROAD.

In a trip to Europe the past summer, I visited some of the model prisons of the old world. They differ from our own in so many respects that I have thought a description of some of the principal ones might be interesting to the readers of this book.

They differ from our prisons, not only in construction, in the way they are conducted, in the object in view, but also in the results attained. Whether considered from the point of view of the political economist, or of the philanthropist, our prisons are far in advance of those which came under my observation.

The object in all cases with them appears to be *punishment;* they still cling to the idea that men will be deterred from committing crime by the severity of the penalty they must undergo if detected. In the English prisons little thought is given to the reformation of the convict. It is an old and very true saying with them, that "once a criminal, always a criminal" — not considering that it is the system that not only makes criminals, but prevents them from extricating themselves from a life of this kind if once commenced. If their theory is correct, their practice has not been in keeping with it. A century ago, almost every crime above petty larceny was a capital offence in England;

now they have but two or three — showing the change in public opinion by reason of the progress of education.

No thief was ever made an honest man from the fear of the penalty of the law he violates. The suppression of crime must depend upon other agencies than the severity of penalties. Education is the way to reformation — education not only of the mind, but of the hands. Reformation without labor is quite improbable, and in proportion as it is instructive, and can be made available and remunerative after their discharge, is reformation insured.

Convicts in England, as with us, are sentenced to hard labor, yet they are not allowed to work, and I believe are prohibited by an act of Parliament from working, at any trade or employment which will bring their labor into competition with outside industry. The result of this system is, that they learn and earn comparatively nothing. There may be an apparent cause for this course in a country like England, where it is so difficult even for the honest and the would-be industrious to obtain labor; yet I think it is only in appearance, and not founded upon fact. It is the cropping out of the same principle which in former times so bitterly opposed the introduction of the spinning-jenny, power-loom, and other labor-saving machinery, to which England, to a very great extent, owes her greatness today. When it is understood that thousands are annually convicted of crime, the result of idleness, either from necessity or choice, it would seem that good policy, if no higher motive, would induce the authorities to endeavor to instruct them while in prison, and assist them in obtaining employment when discharged, so as

to prevent their being a constant charge upon the rate-payers. As it is, a large class exists in London who spend at least three quarters of their lives in prison, and by no effort of their own can they possibly extricate themselves from the almost hopeless state in which their lot is cast. Their recommitments are from forty to fifty per cent.

In London there are about a dozen prisons. Formerly every class of criminals and graduates in vice — from the simple novice to the artful adept, the debtor, pickpocket, burglar, coiner, poacher, highwayman, vagrant, and murderer — were all huddled together in one and the same building, called the *common jail;* and it was not till 1823 that any steps were taken to enforce a separation of the great body of prisoners into classes — those waiting trial, and those convicted and sentenced.

The Middlesex House of Correction, at Coldbath Fields, is one of the oldest, as well as largest, penitentiaries in London. It was built in 1794, and had originally but two hundred and thirty-two cells. It has been enlarged at various times, and now has accommodations for twenty-five hundred inmates in separate apartments. It covers an area of nine acres, and is surrounded by a brick wall twenty-five feet high.

Before describing the prison as it appeared to me on my visit to it the past summer, it may be interesting to know something of its history. The following description of it was given by Captain Chesterton on his taking charge of it in 1829. He says, —

"I found it in a perfect state of demoralization; the procurement of dishonest gains was the only rule from

the governor downward. The laws forbade every species of indulgence, and yet there was not one that was not easily purchased. The first question asked of a prisoner when committed, was, 'Had he any money, or anything that could be turned into money? Or would any friend, if written to, advance him some?' And if the answer were affirmative, then the game of spoliation commenced. In some instances, as much as seven or eight shillings in the pound went to the turnkey, with a couple of shillings to the yard-man, who was himself a prisoner, and had purchased his appointment from the turnkey at a cost of never less than five pounds, and frequently more. Then a fellow called the 'passage-man' would put in a claim also; and thus the novice would discover that he was in a place where fees were exorbitant and charges multiplied. If he complained, or made any objection to these extortions, he was obliged to run the gantlet of the whole yard, by passing through a double line of them, who, facing inwards, assailed him with short ropes, or well-knotted handkerchiefs. The poor and friendless prisoner was a wretchedly oppressed man; he was kicked and buffeted, and made to do any revolting work, and dared not complain. As I have already remarked, no indulgences were allowed by law, yet an examination of their cells by any one but the officials would bring to light dice, cards, tea, coffee, tobacco, pipes, butter, cheese, wine, and spirits."

It is proper to say that the state of affairs described does not exist at the present time. The prison to-day is unquestionably conducted by those in charge in a humane and proper manner, so far as the rules for the government will allow.

On my visit to the prison I found over two thousand inmates, men and boys, — no women, — sentenced from three months to three years. It was originally intended that this institution should be conducted upon the solitary or separate plan, and the cells are constructed with that in view, being quite large. In fact, nearly half the number are confined to, and work in, their cells during the whole term of their sentence. The only labor in the cells is picking oakum. A certain number of pounds of old junk is weighed out to them every morning for a day's work. About two hundred persons work at the same business in a large room. They all have a task, and on its completion depends their supper — in all cases bread and gruel. A change is made in the gruel, in order to make up a variety, I suppose, by having salt in it one night and molasses the next. The breakfast is the same, nothing but bread and gruel. Twice a week for dinner they have soup, and the other five days bread and vegetables. It would seem that a man ought to work with unceasing energy rather than run the risk of losing such a supper!

About five hundred of the inmates work on tread-wheels. In the room devoted to this purpose, about two hundred feet long, were eight wheels, from fifty to sixty feet in length, and eight or ten in diameter. The wheels are boarded over except where the occupant stands; they are divided into compartments, just wide enough for a man to stand in, and a cross rail to steady himself by. Only half of the number work on the wheels at once, changing every ten minutes. The work, especially to the novice, is of the most laborious kind. When relieved, many of them are quite

exhausted; it is like climbing a flight of three or four hundred stairs every other ten minutes through the day. In fact, I was informed that the motion of the wheel, sliding away beneath their feet, rendered it much more laborious and straining to the muscles than ascending fixed stairs.

The eight wheels were all geared together, and, united, they obtained force equal to an engine of forty-horse power, which was used for grinding corn. When running full time, about four hundred bushels could be ground in a week, which would cost outside to grind twenty or twenty-five dollars. These five hundred strong, able-bodied men — for they must be that to do the work — earn less than five cents a week each man, hardly enough to pay for lubricating the machinery; not enough, certainly, to pay for the shoes worn out upon the wheel.

The first three months of a convict's sentence are served upon the wheel, unless excused by the doctor; each one has the privilege of seeing the doctor every morning; but there is a trifling proviso attached to the privilege which renders it rather questionable whether it can be counted as such. If he is prescribed for, all right; if not, he is deemed an impostor, and treated accordingly, either to remain on, or be returned to, the wheel for an extra month or two, to work on the crank-labor or lose a star (to be explained hereafter), as the authorities may determine. The morning I visited the prison, the doctor had but four applicants out of a population of over two thousand; one was prescribed for, and the remaining three had to suffer the consequences of being impostors. In our prison, with a

population of less than six hundred, we have from twenty to thirty applicants to see the doctor every morning.

Good conduct for three months entitles the convict to a star, which is placed upon the sleeve of his jacket; for every star found to his credit when discharged, he is entitled to half a crown; but he is liable to lose these for misconduct, or for being so incorrigible as to have pains and ill feelings that a doctor, who takes the business by contract, cannot see or feel himself. The consequence is, that few are discharged who are not indebted to the prison.

When received at the prison their clothes are taken from them and carefully preserved. The first step towards preservation is to bake them in a brimstone oven for sanitary and other reasons. I say *carefully* preserved, for they are usually in that state that it requires the greatest care to keep them from separating into the various odds and ends of which they are usually composed; to expose them to a breath of wind would, in many cases, be certain destruction.

When discharged, the prisoners are given a breakfast of bread and gruel, the clothes they wore into the prison, good or bad, frequently without a penny in their pockets, with no one to assist them, but with plenty of good advice in regard to leading an honest life. Notwithstanding all this, they do come back again and again. What else can be expected? They are obliged to go back to their old haunts, their old associates, to get their first dinner after leaving the prison.

While serving their sentence, they are allowed to

see their friends once in three months, to write and receive one letter during the same period. When visited by their friends, they are placed in a small closet, with a wire netting on one side, and their friends in a similar one opposite, with a space of some three feet between them, in which an officer sits.

Pentonville and Millbank prisons usually have about half the number of inmates as the one just described. They are constructed and conducted upon the same principles; the sentences are longer, and in addition to picking oakum and the tread-wheels, they have some other kinds of employment, equally as laborious, but not quite as profitable. One is called the "Shot Drill." In the yard may be seen large pyramids of heavy cannon balls; the men are ranged so as to form three sides of a square, and stand three deep, each prisoner being about ten feet from his fellow. All their faces are turned towards the officer. The labor consists in passing the shot from one pyramid down the entire length of the line to another, and back again. At the word "one," the man nearest to the pyramid seizes a shot; "two," he moves sideways, and each man takes the place where his neighbor stood; "three," each one bends down and carefully places the shot upon the ground; and at "four," each one resumes his original position; and so on till they are all removed. The shot must not be dropped, and in putting it down, or raising it, they are compelled to keep their heels together. The shot are so smooth that there is nothing to lay hold of, and the hands soon become hot and slippery with perspiration, which renders the labor fatiguing beyond conception. The flushed counte-

nances, and the perspiration, which, after a few minutes, begins to ooze from every pore, indicate how exhausting and depressing such useless labor is upon those subjected to it.

Another kind of work is what is called the "Crank-labor." It consists of an iron drum, eighteen or twenty inches in diameter, placed on legs, through which a spindle, or shaft, runs, with a crank at one end. Attached to this spindle, within the drum (which is filled with sand), are cups, so that in turning the crank, the cups are constantly lifting and moving the sand, requiring considerable power to turn it. Attached to the machine is a clock, which tells the number of revolutions made; ten thousand being a day's work of eight and a half hours, or about twenty a minute. This labor is performed in the cells, and is extremely distressing and disheartening. It is —

> "Like dropping buckets into empty wells,
> And wasting life with drawing nothing up."

For certain classes of crime, prisoners are now sentenced in England to receive a specified number of stripes in addition to their imprisonment. The arrangements for whipping are quite perfect. In one prison the culprit is fastened to a triangle; in another, after having his back bared, his wrists and ankles are fastened in stocks. In applying the "cats," great care is taken not to draw blood, or break the ridges of flesh raised by the lash, for, as I was informed, that would be a relief, and lessen the pain.

The most interesting of all the prisons in London, always excepting the Tower, is Newgate Prison. "It

is massive, dark, and solemn; arrests the eye, and holds it. It is one of the half dozen buildings, in that wilderness of bricks and mortar, which has a character." In its strong, unique, and impressive architecture, as well as in its own eventful history, it rises in stern grandeur above all the other prisons in England. It was founded early in the sixteenth century, and has been enlarged and rebuilt so that but little of the original structure remains. It is both jail and penitentiary, prisoners being sentenced there for short terms, but not to hard labor. Adjoining it is the "Old Bailey," where the prisoners are tried, and the two are inseparably connected in history.

I have remarked that formerly capital offences were much more numerous than at the present time. The usual place of execution was at Tyburn, some two or three miles distant from the prison, whither they were conveyed in a cart, and seated upon their coffin. It was customary for the procession to halt on its way to the gallows, and the culprit was presented with a draught of ale.

There was another singular custom connected with their executions. A Mr. Robert Dow, who died in 1612, bequeathed twenty-six shillings eight pence yearly, forever, to be paid the sexton, or bellman, of St. Sepulchre's Church, to pronounce solemnly two exhortations to the persons condemned, and for ringing the passing bell as they were carried to the gallows.

The first exhortation was to be pronounced to the condemned prisoners in Newgate the night before their execution, as follows: —

"You prisoners that are within,
Who, for wickedness and sin,

after many mercies shown, you are now appointed to die to-morrow, in the forenoon; give ear and understand, that to-morow morning the great bell of St. Sepulchre shall toll for you, in form and manner of the passing bell as used to be tolled for those that are at the point of death. To the end that all goodly people hearing that bell, and knowing it is for you going to your deaths, may be stirred up heartily to pray to God to bestow his grace and mercy upon you whilst you live. I beseech you, for Jesus Christ his sake, to keep this night in watching and prayer for the salvation of your own souls, while there is yet time and place for mercy, as knowing to-morrow you must appear before the judgment-seat of your Creator, there to give an account of all the things done in this life, and to suffer eternal torments for your sins committed against Him, unless upon your hearty repentance you find mercy through the merits, death, and passion of your only Mediator and Advocate, Jesus Christ, who now sits at the right hand of God, to make intercession for as many of you as penitentially return to him."

The admonition to be pronounced to the convicted criminals as they were passing by St. Sepulchre's Church to execution was as follows: —

"All good people, pray heartily to God for these poor sinners, who are now going to their death, for whom this great bell doth toll. You that are condemned to die, repent with lamentable tears. Ask mercy of the Lord for the salvation of your own souls, through the merits, death, and passion of Jesus Christ,

who now sits at the right hand of God, to make intercession for as many of you as penitentially return unto him.

"Lord have mercy upon you!

"Christ have mercy upon you!

"Lord have mercy upon you!

"Christ have mercy upon you!"

This custom has been dispensed with for many years, with the exception of tolling the bell, which is still continued — the first stroke of which is the signal for the procession to move towards the gallows.

Formerly the victim was hung upon a lofty elm tree, called "Tyburn Tree;" afterwards the gallows was a triangle upon three legs. A stone now marks the spot, upon which is inscribed, "Here stood Tyburn Tree." The last person executed at Tyburn was John Austin, in 1783.

The following extract, from a work published at that time, shows the folly of relying upon the gallows to suppress crime: —

"We never had an execution wherein we did not grace the gibbet with ten, twelve, or more persons; and on one occasion I saw *forty* at once. But this unfortunate slaughter did no good at all. The more hangings there were, the more hardened and desperate the criminals became."

At one time, in February, 1817, there were eighty-eight persons in Newgate sentenced to death. The prison was calculated to hold four hundred and twenty-seven prisoners, allowing ten or a dozen in a room, and yet as many as twelve hundred, debtors and criminals, have been huddled together, with no regard to classifi-

cation either in age, sex, or crime. Great improvements have been made in the condition of the inmates, instigated and carried through by the influence of Mrs. Fry and her committee of Friends.

From 1783 up to within three or four years, executions have taken place in the street in front of the prison. A terrible scene occurred in February, 1807; two men, by the names of Haggerty and Holloway, were to be hanged for murder, and a great crowd assembled to witness the exhibition. At the close, in clearing the street, twenty-seven persons were trodden to death, and a great many others maimed and crippled for life.

The last person publicly executed in London was Michael Barrett, about three years ago. He was condemned to die as a Fenian conspirator, and in his death did more to keep alive and encourage the cause for which he died than a long life of activity could have done. It was estimated that at least a hundred thousand people witnessed the execution; many of them remaining in the street during the whole of the preceding night, in order to secure a good position. Extravagant prices were paid for windows overlooking the scene. As the rope was adjusted round his neck, some one in the crowd, said to have been an American, cried out in a loud voice, "Good heart, Michael Barrett, this day! All is not lost while one drop of Irish blood remains!" And in the answering shout of the assembled thousands the drop fell, and the soul of Michael Barrett ascended to the God who gave it, with the applause of his admirers ringing in his ears.

You enter Newgate by a door about four feet and a half high, elevated a few steps above the level of the

street, and covered on the top with formidable iron spikes. There is still another massive, oaken, inner door, faced with iron, of enormous strength, to pass before reaching the interior. You are first shown into what is called the "Descriptive Room," in which is kept a variety of curiosities of by-gone days. Here are the irons worn by the somewhat celebrated characters in criminal history, Dick Turpin and Jack Sheppard, weighing upwards of thirty pounds, which were fastened round the ankles, wrists, and the body; irons of the same kind, though not quite as heavy, still used on criminals sentenced to death, and kept on day and night till the morning of their execution; the axe formerly used for beheading state prisoners; belts and other apparatus for pinioning prisoners when executed. Many of these articles have been used on those daring highwaymen whose tragic histories are recorded in the "Newgate Calendar," and remind us of the romantic scenes enacted on Hounslow Heath and Finchley Common.

Another room is filled with the busts of all those executed for many years past, taken after death, forming a collection of rare, but not very pleasing, objects.

The Murderer's Cell, as it is called, where the prisoner is confined after sentence, is about twice the size of the others; it has but very little furniture in it. They are not allowed a knife, the food being cut up in small pieces before it is brought to them. They are never left alone; although heavily ironed, a guard is with them day and night. The condemned man attends service in the chapel on Sundays, and occupies a seat in front of the desk. Executions now take place

in the yard, and are strictly private. The bodies are never given to their friends, but are buried in a passage-way, connecting the prison with the Old Bailey, over which they have to walk in passing to and fro during their trial. A cast of the face is first taken; the body is then placed in a rough coffin filled with quicklime, having holes in the top, into which water is turned. Probably in forty-eight hours the annihilation of the body is complete.

The English executioner's name is Calcroft. He is an old man, nearly seventy, and is said to be a very humane man, and quite respected by those who know him. He has held the office for many years, and the subjects of his handiwork can be counted by hundreds, if not by thousands. He is a perfect artist in his profession, as particular in making his arrangements as though measuring his victim for a suit of clothes. He manufactures the ropes himself, working them till they are as soft and pliable as silk. They are never used but once, and are buried with the body.

One of the most interesting prisons I visited abroad was the jail, as it is called, in Glasgow, Scotland, though answering, somewhat, to our houses of correction. It contained about six hundred and fifty inmates, sentenced for short terms, about two hundred of whom were females. It was interesting from the fact that the experiment which has caused so much discussion in this state, of having a prison especially for, and conducted entirely by, women, has been in operation, with marked success, for upwards of thirty years.

Having been conducted over the establishment by the governor, on reaching the entrance of the female

prison, in the same yard, though separated from the other, he stopped, and gave me in charge of the matron. I found everything extremely neat and clean, and the most perfect order prevailing in every department. The officers, all women, handled the keys, and discharged their various duties, with as much ease and facility as I have ever witnessed in any prison. I inquired of the matron if she was not sometimes obliged to call in male assistance. She said no; a case had never occurred which they had not been able to manage satisfactorily. I never doubted the propriety, or questioned the success, of a prison of this kind, and was consequently the more pleased with what I saw.

The great objection to the English system of prison management is, that the inmates, notwithstanding the labor is so hard, earn and learn comparatively nothing, and that no provision is made to assist them when discharged. It is said the sun rises every morning in London upon at least thirty thousand souls who know not where their breakfast is to come from. It is extremely difficult even for the honest and well-disposed to obtain employment in that immense city; how, then, can it be expected that those who have been unfortunate and criminal can succeed, unaided, where others fail? Nothing short of a miracle can extricate them from the terrible surroundings in which their lives are cast.

What to do with their convicts is the great problem yet to be solved in England. There is not a prison in London but has recently been, or is about being, enlarged; not a workhouse, or charitable institution of any kind, but is filled to overflowing; and the cry is, Still they come. Here is a cloud in the English sky,

hardly large enough to attract attention yet, but expanding at a rapid rate — a cloud that will require all the statesmanship of the nation to dispel or even control; let it burst, and the consequences will be fearful to contemplate. Woe to thee, O England, great and powerful as thou art, should the time ever arrive when the hewers of wood and drawers of water shall rise in their might and majesty, and demand the inalienable rights God has implanted in the hearts of every creature bearing the impress of his own image! Wait not till it shall be wrested from thee, but make it a free offering, a virtue of necessity if you will, but do this one act; then shalt thou become great in reality, as thou art in name.

APPENDIX.

SINCE the opening of the prison there have been fourteen Wardens, seven Deputy Wardens, sixty-seven Inspectors, six Physicians, eight Chaplains, and five Clerks, as follows: —

Wardens.

	Appointed.	Retired.
Daniel Jackson,	1805,	1810.
Robert Gardner,	1810,	1812.
Gamaliel Bradford,	1812,	1824.
Thomas Harris,	1824,	1828.
William Austin,	1828,	1832.
Charles Lincoln, Jr.,	1832,	1843.
Frederic Robinson,	1843,	1849.
H. K. Frothingham,	1849,	1852.
Stephen Whitmore, Jr.,	1852.	1854.
Jefferson Bancroft,	1854,	1855.
David S. Jones,	1855,	1856.
Solon H. Tenny,	1856,	1856.
Jacob S. Porter,	1857,	1858.
Gideon Haynes,	1858,	Still in office.

Deputy Wardens.

	Appointed.	Retired.
Charles Lincoln, Jr.,	1828,	1832.
Enoch Hunt,	1832,	1843.
Ebenezer Payne,	1843,	1850.
Galen C. Walker,	1850,	1856.
Charles W. Walker,	1857,	1858.
Benjamin L. Mayhew,	1858,	1868.
Oliver Whitcomb,	1868,	1869.
Almon Hale,	1869,	Still in office.

Inspectors.

Christopher Gore,
Artemas Ward,
Benjamin Pickman,
Jedediah Morse,
Josiah Bartlett,
Andrew Cragie,
Joseph Hurd,
John Lowell,
Isaac P. Davis,
George G. Lee,
Samuel P. Gardner,
William Pickman,
William Gray,
Tristram Barnard,
Joseph Russell,
Matthew Bridge,
Jonathan L. Austin,
Thomas Melville,
James Prince,
Jesse Putnam,
Caleb Brigham,
Benjamin Weld,
Elias Phinney,
Nehemiah Freeman,
John Soley,
James T. Austin,
William C. Jarvis,
F. C. Gray,
Sherman Leland,
Seth Knowles,
Charles Wells,
John R. Adan,
Josiah Quincy, Jr.,
Samuel Greele,
William Minot,
Bradford Sumner,
Benjamin P. Williams,
Abraham F. Howe,
William J. Hubbard,
Richard Frothingham, Jr.,
William Sawyer,
George H. Kuhn,
Robert Cowdin,
James G. Fuller,
John Gardner,
John Codman,
James Adams,
John Odin,
Oliver Frost,
J. E. Farwell,
James Perkins,
S. W. Robinson,
Lemuel M. Barker,
P. J. Stone,
John A. Goodwin,
George W. McLellan,
Francis Childs,
Stephen N. Stockwell,
Harmon Hall,
J. M. Usher,
Anthony S. Mors,
Estes Howe,
Edwin Walden,
Nehemiah Boynton,
Joseph D. Pinder,
Everett Torrey,
James Pierce,
Edward H. Dunn.

E. L. Norton.

Physicians.

Dr. Josiah Bartlett,
Dr. A. R. Thompson,
Dr. Wm. J. Walker,
Dr. J. G. Dearborn.
Dr. J. W. Bemis,
Dr. Wm. B. Morris,
Dr. A. B. Bancroft.

Chaplains.

Rev. Jedediah Morse,
Rev. Walter Balfour,
Rev. Oliver Brown,
Rev. William Collier,
Rev. M. M. Parkhurst,
Rev. Jared Curtis,
Rev. H. E. Hempstead,
Rev. Joseph Ricker,
Rev. George J. Carleton.
Rev. W. W. Colburn.

Clerks.

Thomas C. Larkin,
William H. Lane,
H. K. Frothingham,
James M. Francis,
Wm. Peirce, (appointed in 1854, and still in office.)

The following are the number of convicts committed to the prison from the opening to January 1, 1871, the number discharged on expiration of sentence, pardoned, died, &c.: —

Whole number committed,	7813
Discharged on expiration of sentence,	5698
" by order of court,	43
" by pardon,	1122
" by death,	301
" by suicide,	6
Murdered by other convicts,	3
Shot in attempting to escape,	2
Escaped,	40
Sent to Insane Hospital,	37

Sentenced for life, ... 346
Now in prison for life, ... 62
In prison January 1, 1871, ... 561
Committed the second time, ... 868
The longest time served on a series of sentences, 34 years 8 mos.
The next longest, ... 34 years.
Longest time on one sentence (now in prison), 22 yrs. 2 mos.
The next longest, ... 20 years 2 mos.
Now in prison who have served ten years and upwards, . 8
Average time served, ... 13 years 7 mos.

The following officers have been connected with the State Prison for a period of ten years or more: —

Name and Office.	Date of Appointment.	Term of Service.
Gideon Haynes, Warden,	April, 1858.	12 years 9 months.
Almon Hale, Deputy Warden,	Jan., 1857.	14 " 0 "
William Peirce, Clerk,	April, 1854.	16 " 9 "
John E. Shaw, Turnkey,	April, 1839.	31 " 9 "
David Sargent, "	May, 1843.	27 " 8 "
Charles W. Gale, "	June, 1850.	20 " 7 "
Geo. A. Lounsberry, "	Sept., 1850.	20 " 3 "
Joshua B. Rea, "	March, 1852.	18 " 10 "
Thomas Richardson, "	Sept., 1853.	17 " 3 "
E. S. Darling, "	Sept., 1856.	14 " 3 "
Joseph B. Jepson, "	Jan., 1858.	13 " 0 "
J. F. Simonds, "	Sept., 1858.	12 " 3 "
William B. Ramsell, "	Jan., 1859.	12 " 0 "
J. W. Prentiss, Watchman,	May, 1857.	13 " 8 "
Samuel Poor, "	May, 1859.	11 " 8 "

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